Mr Blood. Mr Clements

Ask approval of appointment - Authorize Mr. Dillon to draw his salary in the proper manner - Advise secrecy of his temporary appointment, that he is not an American citizen, and be sent from the special appropriation for compensation of consuls &c

No. 731. Acknowledged Sept 30. 1880. Mr Cridler

Four Enclosures.

J. 01279
C. 7458

DEPARTMENT OF STATE
SEP 15 1880
RECEIVED

Legation of the United States.

Peking, July 17th, 1880.

George F. Seward to the Secretary of State.

Subject.

The Tientsin Consulate.

Synopsis

Informs the Department that Mr. Dillon has assumed charge temporarily, and asks that he be allowed the salary and allowances, for the time during which he may act.

No. 731. Four Enclosures.

Legation of the United States.

Peking, July 17th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Recurring to my despatch number 724, in which I informed you that I had requested the French Minister to authorize his Consul at Tientsin to take charge of our interests temporarily at that port, I have now the honor to hand to you, herewith, a copy of 1/731. his response, accompanied by a translation; a copy of a letter of 2/731. authorization issued to Monsieur &

Hillon

3/731. Hillon by me; a copy of a despatch from Mr. Pethick announcing that he had transferred charge to Mr.
4/731. Hillon; and a copy of a letter from that gentleman informing me that he has entered upon his duties.

I beg leave now to request that you will confirm my action in the premises, and that you will transmit to Mr. Hillon the necessary authority enabling him to draw the salary and allowances for such period as he may remain in charge of the Consulate.

I have the honor to be,

Sir.

Your obedient servant.

Geo. F. Seward

Enclosure

Enclosures.

1. Monsieur Bourie to Mr. Seward
   July 9th, 1880.
2. Mr. Seward to Mons. Hillon
   3?/1880. July 10th, 1880.
3. Mr. Pithick to Mr. Seward
   No. 8. July 13th, 1880.
4. Mr. Hillon to Mr. Seward
   No. 1. July 14th, 1880.

Despatch No. 31.
Enclosure 1.

Légation de France
en Chine
Péking, 9 Juillet, 1864.

Son Excellence
Monsieur Seward.
Ministre des Etats Unis.

Monsieur et cher Collegue.

Ainsi que j'en ai fait la promesse à Mr. Holcombe et que vous m'en avez de nouveau manifesté le désir par votre lettre du 5 de ce mois, j'ai écrit sans perdre de temps à Mr. Dillon pour l'inviter à accepter à titre temporaire les fonctions de Vice Consul des Etats Unis à Tientsin.

Je suis heureux de l'occasion qui s'est ainsi offerte à moi pour vous témoigner mon desir de vous être agréable, et je vous prie d'agreer, Monsieur et cher Collegue, l'assurance de mes sentiments bien sincerement dévoués.

(signé) A. Bourée
French Minister

Légation de France
en Chine

Péking, 9th July, 1880.

His Excellency George F. Seward.
United States Minister.

Sir and dear Colleague.

In accordance with the promise made to Mr. Holcombe and the wish again expressed in your letter of the 5 instant, I wrote without loss of time to Mr. Dillon asking him to accept, temporarily, the duties of U.S. Vice-Consul at Tientsin.

I am glad of the opportunity which has offered of manifesting my desire to be agreeable to you, and I beg you to accept, Sir and dear Colleague, the assurance of my sentiments both devoted and sincere.

(signed) A. Bourée,
French Minister.

Despatch No. 731.
Enclosure 2.

37/1880.

Peking, July 10th, 1880.

Monsieur C. Dillon,
Consul de France, Tientsin.

My dear Sir:—

I am informed by Mr. Pethick that it would not be impossible for you to act temporarily for American interests at Tientsin and that you would probably consent to do so, if requested by me, and authorized by your own Minister. I beg leave therefore to hand to you, herewith, a copy of a note from your Minister and to say that I shall feel grateful if you are able to take over charge of the Consulate from Mr. Pethick at an early moment. This letter will be your full authority to do so and to discharge in all respects the duties of Consul of the United States at Tientsin.

I

I am, My dear Sir,
Yours very truly,
(signed) George F. Seward,
U. S. Minister

Despatch No. 731.
Enclosure 3.

Mr. Pethick to Mr. Seward.
No 8. July 13th, 1880.

Sir:—

I have to-day transferred charge of the Consulate to Mr. Dillon, Consul for France, and thus my connection with the Consulate ceases.

The perusal of your despatch of July 8th, and the copy of your letter to the Secretary of State, enables me to say at this close of my official career "I die happy".

I have the honor &c.

(signed) Wm N. Pethick.

Despatch No. 731.
Enclosure 4.

Mr. Dillon
No. 1.

to Mr. Seward.
July 14th, 1880.

Sir:—

I have the honor to inform you that I took over charge of this Consulate from Mr. W. H. Pethick, late Vice Consul, yesterday at noon.

I have signed the inventory of archives and public property and sent it to the Department of State at Washington.

I have also sent official notice to the Consul General at Shanghai.

I am, Sir, etc.

(signed) C. Dillon.

Send copy to Ld of the Treas[y] & say that if desired a copy of Minister's Despatch No. 213 will also be furnished
G. P.

W Bloor

To Treasy Dept Sept 22. 1880 Mr. Cridler

No. 732.

Legation of the United States.

Peking, July 17th, 1880.

DEPARTMENT OF STATE
SEP 15 1880
RECEIVED

George F. Seward to the Secretary of State.

Subject

Currency of China.

Synopsis.

In response to Department Circular instructions of February 11th and April 30th, refers to Mr. Seward's despatch number 213. which contains all the information obtainable upon the subject.

No. 732.

Legation of the United States.

Peking, July 17th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I have had the honor to receive your special and separate circular instruction of February 11th, requesting me to answer, for China, certain interrogatories propounded by the Secretary of the Treasury in regard to the financial conditions of certain countries.

He requests:—

1st. A copy of all existing laws authorizing the coinage of money.

I

I am not aware of the existence in China of any laws authorizing the coinage of money, excepting those which regulate the issue of copper cash. Such information as is available on this subject was communicated to you in my despatch number 213., for the use of the Congressional Monetary Commission, and was published with the report of that Commission.

2nd. A statement of the amount of each kind and denomination coined since 1800.

As the copper cash referred to above are issued by the provincial officers, and as much irregularity attends their issue, it

it would not be practicable to procure any information of value on the subject.

3rd u. Any information obtainable concerning the manufacture, fineness, weight, or legal tender quality of the coins.

My despatch mentioned above gives all the information available to me in regard to the manufacture, weight, fineness, and legal tender quality of the copper cash currency of this Empire.

4th u. To what extent are the coins of other countries in circulation.

I have nothing to add in this direction to the statements

of

of my despatch in question.

5th. A copy of the law authorizing the issue of paper moneys, etc. etc.

I know of no law of the kind. The general subject of the paper moneys of China was dealt with in my despatch number 213.

6th. A statement of the indebtedness of the country, etc. etc.

The Chinese have no national debt. They have of late years, from time to time, made a few loans through foreign banks and mercantile houses, but they have issued no bonds. The whole amount of such indebtedness does not exceed eight or ten millions of

dollars

dollars. They have paid a high rate of interest, about nine & per centum, I believe, not so much because their credit is not good as because they have not & exercised care and skill in their negotiations. Their loans have been promptly repaid on maturity, and there has been no default in the payment of interest.

I may also add that I have no information upon the questions propounded in your later circular instruction of April 30th ult., aside from that already furnished in my & despatch mentioned above.

It would be useless to make

make application in any claimed official quarter for further or fuller responses to the questions asked by the Secretary of the Treasury.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Evans

Approve if no objection appears
L. P.

Approved as above
Sept. 21. 1880
Mr. Corbett

H Blood

No. 733. Two Enclosures.

Legation of the United States.

Peking July 22nd, 1880.

George F. Seward to the Secretary of State.

Subject.

Mr. Hingate asked to represent Germany at Foochow.

Synopsis.

Covers correspondence with the German Minister. Mr. Seward has given a provisional assent and requests that it be confirmed by the Department.

No. 733. Two Enclosures.

Legation of the United States.

Peking, July 22nd, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I have the honor to hand to you, herewith, a copy of a letter which I have received from Mr. von Brandt, the German Minister, requesting my assent to the assumption by Mr. Hingate of charge of German interests at Foochow in place of Mr. McLaus who has left that port. 1/733.

I have responded to my colleague giving my assent, & conditional 2/733.

conditional upon the approval of the Department.

As the arrangement indicated in this correspondence has already been in force for a number of years, and has operated to the satisfaction of the parties concerned, I beg leave to suggest that my action in the premises be confirmed.

I have the honor to be,
Sir,
Your obedient servant
Wm H. Seward.

Enclosures.

1. Mr. von Brandt to Mr. Seward 29/1880. July 20th, 1880.
2. Mr. Seward to response 38/1880. July 21st, 1880.

Despatch No. 733.
Inclosure 1.

29/1880.

Peking, July 20th, 1880.

His Excellency George F. Seward.
etc. etc. etc. etc.

Monsieur le Ministre and
dear Colleague.

Mr. De Lano who for many years has kindly taken charge of the German Consulate at Foochow has informed the German Consul at Amoy and through him the German Consulate General at Shanghai, that he was going to leave Foochow and that his successor, Mr. Joseph C. A. Wingate, was willing to continue the protection of German interests in the same way and manner as he, Mr. De Lano, had done before.

I should of course be most happy to give my sanction to such an arrangement by which our interests would remain in charge of a tried

(and

and trusted official of the United States, but before doing so, I have thought it my duty to inquire from Your Excellency if there was any objection on your side to such a transfer of our interests at Foochow to the charge of Mr. Wingate. The Consul General of the United States at Shanghai has, as I learn from a letter of our Consul General there, signified his assent to such an arrangement and I would feel very much obliged to Your Excellency if you found yourself in a position to do the same.

I profit of this opportunity to renew to Your Excellency the assurances of my highest consideration.

(signed) M. v. Brandt,
German Minister

Despatch No. 733.
Enclosure 2.

Mr. Seward to Mr. von Brandt.
38/1880. July 21st, 1880.

My dear Sir and Colleague.

I have had the honor to receive your note of the 20th instant making inquiry whether there is any objection on my part to the assumption by Mr. Joseph C. A. Wingate, United States Consul at Forchow, of charge of the German Consulate at that port.

In response I beg leave to inform Your Excellency that it gives me great pleasure to assent to the arrangement proposed, subject only to the approval of my Government to whom I shall at once apply for confirmation of my action.

I have the honor, &c.,
(Signed) George F. Seward.

For perusal by the Secretary
Dft to
Mr Blount
&
Mr Wood

No. 734.

Legation of the United States.

Peking, July 23rd, 1880.

DEPARTMENT OF STATE
SEP 15
RECEIVED

George F. Seward to
the Secretary of State.

Subject.

Mr. Hle Lano's conduct of the Foochow Consulate.

Synopsis.

Expresses Mr. Sewards high appreciation of Mr. Hle Lano's services at Foochow, and his regrets that he has been removed. The post exceptionally difficult. Mr. Hle Lano held in high respect by his associates.

No. 734.

Legation of the United States.

Peking, July 23rd, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I am informed that Mr. Hle Lano, who has for many years filled the post of Consul at Foochow, has transferred the charge of that office to his successor, Mr. Wingate.

I should not be just to Mr. Hle Lano if I should fail at this moment to place on record my high appreciation of the services which he has rendered to our Government and people during

during his incumbency. The post is a very difficult one owing to the exceptionally lawless disposition of the Chinese in that region, and the lack of independence, vigor, and good feeling which has characterized the official class there. Under all the circumstances, I have urged, and I am free to say again, that his services should be retained, and that it is a mistake to sacrifice a good officer in China, or elsewhere for that matter, because an unrighteous attack is made upon him.

At the close of Mr. McLane's charge his neighbors at Foochow, without regard to nationality, testified

testified to their respect for him in a public and marked manner, and I am just now in receipt of a note from the German Minister asking me whether it is allowable to present to Mr. Hle Lano a decoration, as a mark of appreciation for services rendered by him to German interests.

It is pleasant to find that a tried and excellent officer has been sent to succeed Mr. Hle Lano, but it is suggestive that this officer also was removed a few years ago under circumstances which drew from me a strong protest to the Department against the

action

action then taken.

I have the honor to be,

Sir,

Your obedient servant.

Wm. H. Seward

Sent to Press Sept 20. Give to Press. C.T.

Mr Blood

No. 735. One Enclosure.

Legation of the United States.

Peking, July 24th, 1880.

DEPARTMENT OF STATE
SEP 15
RECEIVED

George F. Seward to the Secretary of State.

Subject.

Chinese emigration to the United States.

Synopsis.

Covers a copy of a letter from the Consul at Hongkong giving the number of emigrants from that port for the quarter ended June 30th, 1880.

No. 735. One Enclosure.

Legation of the United States.

Peking, July 24th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I have the honor to transmit herewith a copy of a despatch, 1/735 which has been received from the Consul at Hongkong, showing the number of emigrants who left his port for the United States during the quarter ended June 30th, 1880.

I have the honor to be,

Sir, Your obedient servant.

Geo. F. Seward

Enclosure

Enclosure.

1. Gen. Crosby to Gen. Seward.

No. 90. July 10th, 1880.

Despatch No. 735.
Enclosure.

Mr. Mosby to Mr. Seward.
No. 90. Hong Kong, July 10th, 1880.

Sir:—

In compliance with your request, I have the honor to inform you that during the quarter ending June 30th, 1880, there were four thousand and ninety one male, seven female, and forty four boy emigrants from the port of Hong Kong to the United States.

I have the honor, &c.

(signed) J. S. Mosby.
U. S. Consul.

Ack
Filed

Mr Blowers

No. 736. One Enclosure.

Legation of the United States.

Peking, July 24th, 1880.

DEPARTMENT
SEP
15
1880
RECEIVED

George F. Seward to the Secretary of State.

Subject.

Shanghai Mixed Court, and Currency questions.

Synopsis.

Refers to despatches numbers 661. 666. and 681. and states that the Foreign Office, for reasons given, is not yet prepared to discuss these questions further.

No. 736. One Enclosure.

Legation of the United States.

Peking, July 24th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Referring to my despatches numbers 661. 666. and 681. in which I reported certain interviews had by me, at the request of my colleagues, with the Foreign Office upon the subjects of the Mixed Court at Shanghai and the regularization of the Chinese currency so far as it affects the dues and duties collected by the Customs; and recalling to your mind the fact that

that these questions were referred by the Foreign Office to certain provincial authorities for their consideration, I have now the honor to inform you that Mr. Holcombe visited the Foreign Office at my request upon the 21st ultimo instant to inquire whether reports had been received from the appropriate officers and whether they were prepared to receive me in order to discuss these questions further.

Mr. Holcombe was informed that they had not received such reports and would prefer to postpone such discussion for the present.

I enclose a copy of a letter

1/736.

letter which I have addressed to my colleagues stating the result of this interview.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Edmunds

Enclosure.

1. Circular letter to Diplomatic Body

July 23rd, 1880.

Despatch No. 736.
Enclosure.

No 4.

Legation of the United States.
Peking, July 23rd, 1880.

Dear Sir and Colleague:—

I beg leave to inform you that, in pursuance of the agreement reached at the conference of Wednesday the 14th instant, Mr. Holcombe has visited the Foreign Office to inquire whether they have received reports from the appropriate officers in regard

to

to the Currency and Mixed Court matters, and are prepared to receive me in order to discuss further those questions, and was informed that they have not received such reports and would prefer to postpone such a discussion for the time being.

It is probable, as I believe, that the Yamen will not be prepared to speak in these matters until the new Viceroy at Nanking has reported upon them.

I have the honor to be,
My dear Sir and Colleague,
Your obedient servant.
(Signed) George F. Seward

Ark
Dis

Mr Blood

No. 737. Two Enclosures.

Legation of the United States.

Peking, July 26th, 1880.

DEPARTMENT
SEP
15
1880
RECEIVED

George F. Seward to

the Secretary of State.

Subject.

Correspondence with Brazilian Ministers.

Synopsis.

Covers copy of a letter announcing their arrival at Tientsin, and of Mr. Seward's response.

No. 737. Two Enclosures.

Legation of the United States.

Peking, July 26th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I have the honor to hand to you, herewith, a copy of a letter, with translation, which I have received from the Brazilian Ministers (now at Tientsin, and a copy of a response which I am addressing to them. 1/737. 2/737.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosures.

Enclosures.

1. Brazilian Ministers to Mr. Seward
   33/1880. July 20th, 1880.
2. Mr. Seward in response
   48/1880. July 26th, 1880.

Despatch No. 737.
Inclosure 1.

Tientsin, le 20 Juillet, 1880.

Monsieur le Ministre,

Devant negocier ici le Traité que notre Gouvernement nous a chargé de conclure avec la Chine, nous sommes privés, pour le moment, de faire votre connaissance. Nous nous empressons, toutefois, de vous transmettre, par cette occasion, nos plus cordiales salutations.

Le Gouvernement Impérial du Brésil nous a communiquer que, pour l'obtention du but de notre mission, nous pouvions compter sur l'appui du Représentant des Etats Unis à Pékin.

Nous avons la mission de conclure entre le Brésil et la Chine un traité d'amitié, de commerce, et de

A Son Excellence Mr. George F. Seward, E. & et. Ministre Plenipotentiaire des Etats Unis d'Amerique.

de navigation, conçue dans les termes de ceux des nations les plus favorisées.

Nous nous efforcerons de vous éviter la peine d'intervenir dans cette négociation ; mais, appréciant dûment l'immense valeur de la bonne volonté de la grande République américaine, ainsi que votre influence personnelle, nous ne manquerons pas d'y avoir recours s'il se présente quelque difficulté qu'il nous soit impossible d'écarter par nous mêmes.

Nous croyons convenable de vous informer que le Viceroy Li-Hung Chang a été chargé par le Gouvernement Chinois de traiter avec nous.

Le Gouvernement français ayant également assuré son appui pour l'accomplissement de notre mission, nous devons vous annoncer que vous adressons à Mr. Bourée, Ministre de France, une lettre dans les mêmes termes que celle ci et portant la même date.

(Acceptez

Acceptez, Mr. le Ministre,
les assurances de la considération
la plus distinguée avec laquelle
nous sommes

Votres humbles et très obeissantes
serviteurs.

(signé) E. Callado.

(") A. Silveira da Mota

Tientsin, 20th July, 1880

His Excellency George F. Seward
E. E. and M. P. of the United States.

Monsieur le Ministre.

Having to negotiate here the Treaty which our Government has charged us to conclude with China, we are, for the moment, deprived of the pleasure of making your acquaintance; but we hasten to send you, by this opportunity, our most cordial greetings.

The Imperial Government of Brazil has informed us that, to attain the object of our mission, we might rely on the good offices of the Representative of the United States at Peking.

Our mission is to conclude between Brazil and China a treaty of amity, commerce, and navigation in the terms of those of the most favored nations.

We shall endeavor to spare

(you

you the trouble of interposing in our behalf; but, as we duly appreciate the immense value of the good will of the great American Republic and of your own personal influence, we shall not fail to have recourse to you if any difficulty should arise that we are unable to surmount of ourselves.

We think it well to advise you that the Viceroy Li Hung Chang has been charged by the Chinese Government to negotiate with us.

The French Government having also assured us of its good offices for the accomplishment of our mission, we ought to inform you that we are addressing to Mr. Bourée, French Minister, a letter similar to this & bearing the same date.

Accept, Mr. le Ministre, the assurances of the most distinguished consideration with which we remain

Your very obedient humble servants.

(signed) E. Callado.

A. Silveira da Mota

Despatch No. 737.
Enclosure 2.

48/1880.

Peking, July 26th, 1880.

Their Excellencies,
Señor E. Callado,
Rear Admiral A. S. da Mota,
etc — etc — etc — etc.
Tientsin.

Dear Sirs:—

I have much pleasure in acknowledging the receipt of your joint letter of the 20th instant informing me of your arrival in Tientsin, and that you are proceeding negotiations there for the conclusion of a Treaty of peace and commerce between Brazil and China.

I received some months since an instruction from my Government to promote in all appropriate ways, if need arise, the objects of your mission. I am myself on the point of leaving China, but I feel sure that my successor will find it

it entirely agreeable, as I certainly should, to aid you in any way.

You will find the Viceroy at Tientsin a prompt and clear-headed man, and I doubt not that your negotiations will progress there more rapidly than they would here.

I have the honor to be,
My dear Sirs,
Your obedient servant.
(signed) George F. Seward

File

Memorandum sent to Secy. of Legn. telling him to search numbers & send back again. Duplication of No 376 cannot now be remedied.

Memorandum; unsigned, but dates Sept. 30, 1880, sent to Mr. Peterson in the usual acknowledgment to Mr. Cridler

No 738.

Legation of the United States.

Peking, July 27th, 1880.

DEPARTMENT OF STATE
SEP 15 1880
RECEIVED

George F. Seward to the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Two instructions numbered 376. and one unnumbered received. Certain changes made in the numbers.

No. 738.

Legation of the United States.

Peking, July 27th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I have had the honor to receive your instruction, number 376. of May 13th, your instruction of May 18th also numbered 376.; and your instruction of May 24th which bears no number.

I have taken the liberty to change the number of the second named to 377. and to give the number 378. to the last

last.

I have the honor to be,
Sir,
Your obedient servant.
Geo. F. Rowell

Dec 1880 R S

Let me see Mr. O'Connor's report on this subject.

Jacked. by dept. of State Oct. 6. 1880. Judge O'Connor

Mr O'Connor

Legation of the United States.

Peking, July 28th, 1880.

Chester Holcombe to the Secretary of State.

Subject.

Leave of absence.

Synopsis.

Refers to Department instruction dated April 22nd, accepts the action of the Department in declining to grant leave at present. Remarks upon certain points of the instruction and asks that they be reconsidered.

Legation of the United States.

Peking, July 28th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Referring to my letter of January 29th ult., in which my request for a leave of absence for six months was presented to the Department, I have the honor to acknowledge the receipt of your instruction in response, under date of April 22nd ult., stating that, for reasons mentioned, you are unable at the moment to accede to my request.

I

Legation of the United States.

Peking, July 28th/4, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Referring to my letter of January 29th/4, in which my request for a leave of absence for six months was presented to the Department, I have the honor to acknowledge the receipt of your instruction in response, under date of April 22nd/4, stating that, for reasons mentioned, you are unable at the moment to accede to my request.

I

I cheerfully accept the decision reached in the premises, and shall continue at my post until such time as the Department may be able to grant me leave. I need hardly add that no effort on my part shall be spared to contribute to the success of the newly appointed Minister, or the Commission in any negotiations which may be confided to them.

Your instruction states that my leave, when accorded will be for 60 days, besides a transit allowance of 60 days each way if so much time be required for the journey; and, further that my salary while absent

absent would be at the rate of $3,000 annually, and that the sum of $2,000 thus deducted would be allowed for the employment of a substitute interpreter.

While I am aware that the Department is closely limited by the statute as regarding the length of time for which leave of absence with salary may be granted, I beg to submit most respectfully that the statute, as it stands, not only bears with a positive degree of hardship upon those members of the public service who have remained faithfully at their posts for a term of years, but that it practically goes further, and,

by

by discriminating against them, tends directly to discourage such faithfulness in attention to duty. In proof of this statement it is merely necessary to mention that, so long as human nature is as it is, the fact that a diplomatic officer, with the consent of the Department, may have 60 days leave with salary in each year, and can have after ten years uninterrupted attention to his duties still only 60 days, will serve to induce requests for leave at frequent intervals of time and to prevent uninterrupted service by destroying one of its strongest motives. For, as the law now stands an officer gains by frequent absences

absences from his post, and loses by steadiness in attention to his duties.

It is not necessary to refer here to the extremely liberal regulations in regard to leaves of absence made by all other Governments for their servants abroad. But surely it is not too much to ask that the United States should be as generous in its arrangements in this direction as the various philanthropic organizations whose missionaries are laboring in foreign lands. And while, so far as I am informed, no positive rules are laid down by any of those societies upon this subject, yet as

as a matter of fact and practice, their servants are allowed to visit their native lands as often as once in ten years, such absences from their posts are rarely or never for a less period than one year, and all their expenses while in transit and at home are paid by the societies to which they belong. As in point and by way of illustration, allow me to state that there is not now in North China an American or English missionary who has not revisited his native land within the past ten years, excepting of course, such persons as have more recently reached their posts of duty. And as one who knows anything

anything of the facts will venture to accuse the managers of these organizations of reckless or ill advised expenditures of funds in this direction.

It would seem that the statute in question could be modified, with entire safety to all the interests concerned, so far as to make the leave cumulative, or at least cumulative after a certain period of service, thus, for example, allowing a person who had served for five years without leave to be granted a leave of absence for ten months with salary, exclusive of the usual allowance of time for transit.

While upon this subject I

I beg leave to call your attention to an apparent discrepancy between a statement made in your circular instruction to the Diplomatic and Consular officers of the United States, upon leaves of absence, dated May 29th 1879, and Section 59. of the Consular Regulations. The latter gives the time for transit as covering the distance between the post of the officer concerned and Washington, while in Section III of the former it is stated that the term for which leave of absence is granted "is computed from "the day of the arrival of the "officer in the United States to the "day of his departure therefrom".

In

In the case of a leave of absence granted to me, the point of my arrival in the United States would presumably be San Francisco, and under the language of your instruction quoted above, the time spent in traveling to and from the Eastern States, where my friends reside, would be deducted from the leave of absence granted thus reducing it by about one fourth. The point is worthy of mention only because, in view of the very short leave granted, every day becomes of value.

In reference to that portion of your instruction which states that my salary will be reduced to $3,000 during my absence, whenever

whenever leave should be granted,
and that the sum of $2500 thus
secured may be applied to the
payment of a substitute
interpreter, I beg leave respectfully
to submit that, in making
application for leave of absence
I so applied in my official
capacity of Secretary of Legation
and Interpreter, that I hold but
one office and one Commission,
and that there is nothing in the
statute which would appear to
warrant a division of the position
held by me or of its duties. It
is manifest that during my
absence from Peking I can
perform none of the duties of
my office, yet I fail to see why
my

my very moderate salary should be drawn upon to provide a compensation for a substitute. When leave is granted to the Minister no reduction is made upon his salary, although, under the present law, the Secretary of Legation is required, without extra compensation, to perform the Minister's duties in addition to his own. Yet, the Minister's salary being much larger, he could more reasonably be asked to admit of such a reduction. In my own case, it may be in point to call your attention to the fact that, if my salary is so reduced as provided for in your instruction, the amount

available

available during my anticipated absence of six months inclusive of transit — one half of $3,000 or $1,500. — will not be sufficient to pay my necessary traveling expenses hence to New York and return. And I respectfully submit that, in view of this fact alone, coupled with the length of my service without leave of any sort, the reduction of my salary as proposed would be a hardship to which certainly the Department would not willingly assent.

Still further, while Section 1742. of the Revised Statutes provides that "no "diplomatic or consular officer "shall receive a salary for the time

"time during which he may be
"absent from his post, by leave
"or otherwise, beyond the term of
"sixty days in any one year", it
also provides by very plain
inference at least that he shall
be entitled to receive his full
salary during any absence
within that limit of time, and
I am not aware of any statute
requiring him to provide a
substitute, or the funds for a
substitutes compensation.

I beg to submit these
considerations to your notice,
and to ask that, if possible, you
would be so good as to reconsider
that part of your instruction
which refers to the salary to be

allowed

allowed to me during any absence from my post on leave, and also that you take into consideration the question whether the statute regulating leaves of absence may not be so far modified as to allow the time for such leaves to be cumulative. I believe that it is now so reckoned in the War Department.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

File Ack

H Blood

No. 739. One Enclosure

Legation of the United States.

Peking, July 28th, 1880.

DEPARTMENT OF STATE
SEP 15 1880
RECEIVED

George F. Seward to the Secretary of State.

PRINTED.
FOREIGN RELATIONS
1880

Subject.

Reforms in export trade.

Synopsis.

Refers to despatches numbers 665 and 690 and reports another interview between Hsu. von Brandt and the Foreign Office. The latter not ready for further discussion.

F.R.

No. 739. One Enclosure.

Legation of the United States.

Peking, July 28th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Recurring to my despatch number 665. in which I informed you that the Diplomatic Body had confided to the German Minister the negotiation on its behalf with the Foreign Office of the reforms needed in the export trade, and to my despatch number 695, covering a report of an interview had by Mr. von Brandt with the Chinese Ministers upon

upon this subject, I have now the
honor to hand to you herewith a
1/739. copy of a letter which I have
received from him giving the
results of a second interview
in the same matter.

You will notice that the
Ministers declared their inability
to enter upon a further discussion
at present.

I have the honor to be,
Sir,
Your obedient servant.
Geo. F. Seward.

Enclosure.

1. Min. von Brandt to Mr. Seward
32/1880. July 22nd/4, 1880.

Despatch No. 739.
Enclosure.

32/1880.

Mr. Von Brandt presents his compliments to His Excellency Mr. Seward and has the honor to inform him, that he met the Ministers of the Tsung li Yamen on the 17th instant on the subject of transit passes outwards.

The Ministers present, Shen, Wang, Jung and Chung li declared that they had not yet received the reports they had asked for from the provincial authorities, except from those at Wu hu and that they could not therefore enter upon any discussion of the subject. They added that they would prefer to arrange all the questions at the same time. Mr. Von Brandt answered to this, that he did not object in principle to such a course being pursued, but that he could not allow the proposal to be used only as a means for

postponing

postponing the settlement of the question now before the Yamen, that the treaties were explicit on the subject of transit passes, that, moreover, besides, regulations issued by the Customs authorities and approved by the legations existed, and that therefore there could be no reason why the issue of transit passes should not be proceeded with at all the open ports. Mr. Von Brandt added that, in case the Yamen had any objection to arrive at a speedy settlement of the question, he was quite willing to inform his Colleagues of it and return to them the powers which he held from them, but that in that case he would take up the question for himself and proceed accordingly.

His Excellency Wang then declared that the Yamen was quite satisfied with most of the proposals laid before them by Mr. Von Brandt, that some changes however were necessary

and

and that the Yamên had to take the opinions of the local authorities on the subject before coming to an understanding with the foreign Representatives; that the local authorities had been written to already some time ago, and that the Yamên would press again for speedy answers: that in the meanwhile the Yamên had already instructed the authorities at Canton to issue transit passes whenever asked for, and that the Hoppo had answered that he would do so.

Mr. von Brandt asked for a copy of the Hoppo's letter, which was promised to him but, which when it reached him, proved entirely unsatisfactory and of quite another tenour than the assurances given by His Excellency Wang.

Peking, July 22nd, 1880.

Act
File

No. 740. One Enclosure.

Legation of the United States.

Peking, July 29th, 1880.

DEPARTMENT OF STATE
SEP 15 1880
RECEIVED

George F. Seward to the Secretary of State.

Subject.

The Sites case at Foochow.

Synopsis.

Refers to despatch number 727. and covers copy of a note received from Prince Kung stating that an instruction had been sent as requested.

No. 740. One Enclosure.

Legation of the United States.

Peking July 29th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Referring to my despatch number 727, on the Sites case at Foochow, covering a copy of a note which I had addressed to Prince Kung in which he was requested to instruct the Viceroy that it would be necessary for the man Chen Kuei to make a formal complaint against Mr. Sites before our Consul, I have now the honor to hand to

1740. to you a copy of a note in response which has been received.

The Prince informs me that an instruction in the terms indicated has been sent to Foo chow.

I have the honor to be,

Sir,

Your obedient servant

Geo. F. Seward.

Enclosure.

1. Prince Kung to Mr. Seward 59/1880. July 28th, 1880.

Dispatch No. 740.
Inclosure.

59/1880.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication in reply.

I have had the honor to receive Y. E's communication of the 9th instant, in the case of assault upon Mr. Sites at Yen Ping fu, in which Y. E. remarked that it would be necessary that the man Chen Kuei, who is said to have been wounded by Mr. Sites, should go to the Consulate and make his formal complaint whereupon Mr. Consul De Lano will summon Mr. Sites and hear the case according to law in the presence of our officers; and in which Y. E. requested me to call the attention of the Viceroy to this necessary line of procedure etc. etc.

I have the honor now to inform you that an instruction in this

(sense

sense has been sent to the Provincial Authorities of Fookien.

H. E. George F. Seward.

etc. etc. etc. etc.

Peking, July 28th, 1880.

[File]

Pole. 11

Dr Blood

No. 1. Delegate.

DEPARTMENT OF STATE
SEP 15 1880

Shanghai, July 29. 1880.

Mr. Angell, minister to the State Department

Subject.

Acknowledgment of dispatches.

No. 1. Separate

Shanghai. July 29th 1850.

Honorable. Wm. M. Evarts.

Secretary of State

Washington. D.C.

Sir:

I have the honor to acknowledge the receipt from the Department of State, of papers and documents as as follows: By the hands of Mr Everett at San Francisco, too late to be acknowledged from thence by mail.

1st. Any Commission as Envoy Extraordinary and Minister Plenipotentiary to China.

2d. A letter of credence addressed to His Majesty the Emperor of China together with an office copy of the same

3d.

3d. a copy of the Genral Instructions of the Department to Diplomatic officers.

4th. a passport for myself and suite.

5th. Register of the Department of State.

6th. a copy of instructions of the Honorable Secretary of the Navy to Rear Admiral Pattison (which I was delivered to him at Yokohama)

7th. Sealed letters of credence of myself as Special Commissioner to China, dated June 4, 1880. and offical copy of the same.

8th. I will name, accrediting myself and Messrs Swift and Secor as Special Commissioners and offical copy of the same.

I have also received by mail

1st. a letter from Chief Clerk Brown, dated June 4th. 1880.

authorizing

authorizing me, in the name of the Secretary of State, to draw on the Department for my expenses on two journeys to Washington to receive instructions.

2d a dispatch from the Secretary of State, dated June 4th. 1880 instructing me concerning the "Ward claim" and the "Ward Estate claim".

Dear Sir

Your obedient servant

James B. Angell

Bureau of Accts

Fulton

W Clements

No. 3. Separate.

Shanghai. July 29. 1880.

DEPARTMENT OF STATE
SEP 15 1880

Mr. Angell. Minister. to the Department of State.

Subject.

Notifies draft. on Secretary of State

Abstract of contents.

Draft for actual expenses while securing instructions. sold to "The Hong Kong and Shanghai Banking Corporation."

Inclosure.

No. 1. account for expenses as above

No. 2. Shanghai

Shanghai. July 29. 1880.

Honorable William M. Evarts.
Secretary of State.
Washington D.C.

Sir:

In accordance with instructions received in a letter from Chief Clerk Brown, dated June 4. 1880, authorizing me under direction of the Secretary of State to draw on the Department for my actual and necessary expenses in two journeys to Washington for the purpose of receiving instructions. I drew on July 28. 1880. through the Hong-Kong and Shanghai Banking Corporation, for the sum of

Seventy.

Twenty eight Dollars and fifty Cents
($28.50/100).

I inclose the voucher and I trust the Department will protect the draft.

Yours obedient servant.

James B. Hazell.

Sep. 15 communicate to Navy Dept thanks as to courtesy of Naval officers

Dept. acknowledges instructions Sept. 29, 1880 to Consul at Shanghai

For the information of the Secretary of the Navy, in relation to the visit of the Squadron under the command of Rear Admiral Patterson to the United States to China

by Blount

Chee-foo

2 Aug. 1880

No 1

Arrival of the Commission at Chee-foo and proposed movements

Acknowledgment of the services of Rear Admiral Patterson and Officers of the squadron

No 1

Chefoo
China

2 Aug. 1880

Hon
W M Evarts
&c &c &c

Sir

We have the honour to acknowledge the receipt of our letters of credence, full powers and instructions (addressed to Mr Swift at San Francisco)

Having met Rear Admiral Patterson at Yokohama Japan we decided, owing to the impossibility of accomodating the Commission on one vessel and to the fact that the Richmond from

her draught could not enter the harbour of Shanghai. to make this place our point of landing in China.

Mr Angell therfore proceeded from Yokohama to Shanghai in the Astrolot while Mr Swift and Mr Prescot. came here directly in the Richmond. On the first of August both vessels met here and the Commissioners disembarked under a salute from the United States vessels.

After careful consideration of the circumstances and governed by such information as Mr Angell had gathered at Shanghai. it was determined that Mr Angell should proceed tomorow morning in the

Richmond to Tientsin. As that vessel can only go up to within a few miles of the Takoo forts he will then be transferred to the Ashuelot, which will take him to the city, where he will go on at once to Pekin where he expects to meet Mr Seward.

Mr Angells intention is to present his credentials and inform the Chinese Government of the arrival of the Commission, indicating that the promptness of their reception will be significant to the United States Government of the friendly spirit which he hope will mark the negotiations.

We have adopted this plan because the uncertainty of the accomodation in Pekin makes

any delay that may occur more comfortable here than at any other point. He will be able to inform us positively what arrangements for residence we will have to make and he can communicate with the Commission so readily that his other members could join him in a fortnight.

We have not been uninfluenced by the fact that the rumours at Shanghai brought to Mr Angells attentions indicated the existence at Pekin of a sharp political crisis which might result in serious changes as far the policy of the Chinese Government is concerned. Altho these rumours could not be received

with much confidence. we deem-
ed it advisable to know more
certainly as we would do from
Mr Angell's presence before proceeding
to Pekin.

You will, we think ap-
prehend that in the occurrence of
any domestic political trouble
in Pekin, our presence might
not be an advantage to those
whose success we might desire.

Mr Angell will therefore
proceed tomorrow to Pekin and
the other Commissioners hold them-
selves ready to join him at the
earliest moment.

We are also inform-
ed that under ordinary circum-
stances business is at a stand-

still in Pekin during the month of August, most of the officials withdrawing to the hill country during the heated season

In conclusion we beg to express to you our grateful acknowledgment of the constant and considerate courtesy of Admiral Pattison. From our first meeting at Yokohama to this moment nothing has been neglected that could facilitate our movements, add to our comfort, or impress upon those with whom we associated the importance and dignity of the mission upon which we have been sent.

We would be gratified if you would make known to the

Secretary of the Navy, our sense
of grateful obligation to Rear Admi-
ral Patterson and the Officers of
the Squadron under his command

We have the honor

to be very respectfully

James B. Angell

John A. Swift

Wm Henry Prescot

(Confidential)

Chee-foo
China
3. Aug. 1880

My dear Mr Evarts

We yesterday wrote you a despatch announcing our arrival here and our proposed movements. This morning Mr Angell left for Tien-tsin on his way to Pekin his family remaining here until we all move up. He has some trouble about his furniture. Mr Seward it appears furnished the Legation very handsomely on his return which from all I learn he considered a triumph and Angell has to choose between going without his furniture or taking towards furniture at a heavy appraisement. From what is said Mr S. takes his removal in very bad part and if his language is properly reported seems either to have forgotten or never to have known that he owes to you the chance of making a saving retreat under the flag

Angell brought with him from Shanghai a goodly amount of rumors that may or may not be well founded. The fact most interesting to us personally is that Pethick will not accept the Secretaryship & the Commissions. I think this doubtful. Pethick had received no official notice of his appointment - either of salary. But he has just gone into business in Tien-tsin and it may be a question which you may wish to consider

whether you would wish a merchant engaged
hale to occupy that position. I referred us
last week to you to some transactions we
have to his credit with Denny on the Co
Cali. Denny then agreed that the story had
been correctly told and might be explained
thought we could safely act with him as
Secretary. We agreed that we could not with
properly urge him to accept but if he would
the Angells who will see him on Thursday we
then will ask him to come here to us at once.
however he really means to refuse, Mr Angell
will telegraph you as immediately. We can
none of us make you any suggestion as to
how his place is to be supplied. It will be
easier I expect to find an interpreter than a
Secretary, unless we fall back on Holcombe. I
am afraid that the hands of the Legation
will be full with its own current work. B
we may get along, for my Holcombe added
help.

The impression here, deepened from tal
with Russian naval Officers is that war is imm
nent and that a decisive action will be mad
in October or November. The Admiral told me
that the Russian admiral told him that it m
do but he /Paleeron/ was not sure that he wo
speaking frankly. I enclose you an article fro
the Shanghai paper on the subject - also one
on the subject of our mission.

Admiral Paleeron

has undertaken to use Sec. Kang Yi stating that in his opinion, if hostilities commence, Russia will seize Corea and that by some Diplomatic juggling with the Japanese Government, England will obtain permission to occupy Hako-dadi in Japan.

I take it for granted that if this is not a correct supposition in detail, it is yet certain that in case of hostilities Russia must occupy somewhere and England would insist on conceding any balance of influence against her.

There was another rumour to which the papers seemed to attach some importance and which seemed to be of real importance of true - that is that an issue has been made squarely between Li-hung-Chang and his opponents - that he had been summoned to Peking but must not go and the real Corean Princes who support him had been treacherously called in very great haste.

The Shanghai papers up to 30th Aug (inclusive) make no reference to any such movements except the general one in the extract I send you.

But if there should be a war with Russia followed or preceded by a Domestic revolution at home, I can see understand that Japan would be the point from which Envoy can influence would continue and act. I suppose there is no hope that we will take but have any such position as we should -

Ellen Paul came while here that after what he had been, if he ever came into power again he wished send one vessel to the Mediterranean and the rest here.

Admiral Patterson is relieved on September and goes home. I hope you will see him and talk with him, for not only has he made himself very dear to us by his constant and delicate kindness but has impressed us as a very high minded judgment and a very careful and conscientious observer.

We are here at what is called the Chinese Newport of China which consists of a few stores, a beach with three or four straggling houses and a hotel a mile from the settlement, a large, ~~[illegible]~~ and astounding variety of flies, spiders and mosquitoes - nothing to do and nothing to see ample time and opportunity to evolve a healthy inner consciousness and over my experience, a sedan chair ride with three or four ~~[illegible]~~ grunting & sweating Chinese who break the harness every quarter of a mile, put you down in the dust and smell and jabber for an hour. Anson will be in Tientsin [illegible] four hours and we are ready to move or stay as he notifies us. If you can spare a few minutes to tell me how the Turkey question is settling on, you will oblige

Yours very truly

Wm Henry Prescott

Ack by cable Aug 9. 1860 Instructions by mail same day

Instruction to Mr. Reed to accompany the Telegram in cipher despatched Aug 9. 1860. Reason for discrepancy in the two guides follow: and the one guide supplied to Minister No. 5 of Aug 18. but not received until Oct. 12. 1860. Mr. Reed.

Legation of the United State
China. Tientsin, Aug 5. 1860.

Evarts.

Washington.

Legation unfurnished, can you authorige purchase furniture, three thousand dollars. answer.

Rugell

Received at Dept.
Aug. 9. 1860.

Repeated same as above

M

Mailed by Mr Angell
to Hon Mr. Lowell to
whom answer could
not be addressed in the
absence of Minister
Sept. 30 1880.
Mr Gresham

Auditor for Dept of State
Blood
Morgan

No. 741. One Enclosure.

Legation of the United States.

Peking, August 10th, 1880.

DEPARTMENT OF STATE
SEP 20 1880
RECEIVED

George F. Seward to

the Secretary of State.

Subject

Cost of telegram.

Synopsis.

Mr. Seward reports the cost of a telegram sent by him, and asks that the amount be credited in his salary account.

Accepted, and allowed, amt of same to be placed to his credit in final settlement of accts
Feby 25. 1881
WM

Mr Seward's request cannot be granted. He should draw a Draft for $21.29. cost of c/c, on the Secy of State. Both Mr & Mr Holcombe have been instructed several times on this point. See "telegrams" Page 16 of Personal Instructions

N. Sec

No. 741. One Enclosure.

Legation of the United States.

Peking, August 10th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I have the honor to hand to you, herewith, a statement of 1/741. the cost of the telegram sent to the Department by me upon the 23th of May last, accompanied by the usual voucher. 13.60

I beg that the amount named ($21.29) may be placed to my credit in my account for salary.

I

I have the honor to be,
Sir,
Your obedient servant
Geo. T. Sweed

Enclosure.

1. Statement of cost of telegram sent May 13th 14, 1880.

The United States in account

1880		Dr.
May 13th	To cost of one telegram	$ 21.29

Legation of the United States,
Peking, 10th August, 1880.

Despatch No. 7
Enclosure

Cost of telegrams.

Tientsin, China.

Aug. 12th 1880.

Honorable John Hay

Act'g Secretary of State

Washington.

DEPARTMENT OF STATE
SEP
28
1880
RECEIVED

Sir:

My present circumstances and engagements oblige me to decline the position of Secretary of the Special Commission to China, to which I have been appointed by the President.

With gratitude for this mark of confidence

I remain,

&c.

Your obedient Servant

Wm. R. Dick

Acts. Given to press. Attached. appreciating the humane action of H.I.M. Oct. 11. 1880. Mr. Cridler's C. P.

Mr. Blaine

No. 742. Two Enclosures

Legation of the United States.

Peking, August 13th, 1880.

DEPARTMENT OF STATE SEP 20 1880 RECEIVED

George F. Seward to the Secretary of State.

PRINTED. FOREIGN RELATIONS. 1880

Subject.

Release of Ch'ung hou.

Synopsis.

Refers to Mr. Seward's despatch number 718. and forwards a copy of an Imperial decree setting Ch'ung hou at liberty.

W.R.

No. 742. Two Enclosures.

Legation of the United States.

Peking, August 13th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

Referring to my despatch number 718. dn which I forwarded to the Department a translation of an Imperial decree temporarily revoking the sentence of death passed upon Chung how, late Chinese Minister to Russia, I have now the honor to hand to you a copy of a 1/742. a further decree by which he has been unconditionally set at

at liberty.

2/742. In acknowledging the receipt of this information I have felt bound to convey to Prince Kung my satisfaction at the action thus taken, which, in my opinion, will serve to lessen the difficulties in the way of a peaceful solution of questions now pending between China and Russia.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosures.

1. Prince Kung to Mr. Seward
Informal. August 12th/4, 1880.
2. Mr. Seward in response.
Informal. August 13th/4, 1880.

Despatch No. 742.
Enclosure 1.

59/1880. Prince Kung to Mr. Denard.

Informal. August 12th, 1880.

I have the honor to hand to Y. E. a copy of an Imperial Decree received today from the Imperial Council of State.

Cards and compliments.

An Imperial Decree.

Received by the Privy Council of State, August 12th, 1880.

Sometime since We issued Our mandate that the sentence of decapitation - after the Autumn Assizes - passed upon Ch'ung How be temporarily revoked but that he be held in confinement until the Marquis Tseng had reached a satisfactory solution of the Treaty negotiations with which he is charged.

We are now in receipt of a Memorial from the Foreign Office stating that they have a telegram from the Marquis Tseng saying that he has entered upon his negotiations and earnestly begging them to memorialize Us in his name that further leniency be shown etc. etc.

Let further grace be shown to Ch'ung How, and let him be set at liberty.

The

The Yamen concerned will take note,

Respect this!

Dispatch No. 742.
Enclosure 2.

Informal.

Mr. Seward to Prince Kung.

August 13th, 1880.

I have the honor to acknowledge the receipt of a note from Y. I. H. covering a copy of an Edict from His Majesty directing that the late Minister Ch'ung How be set at liberty.

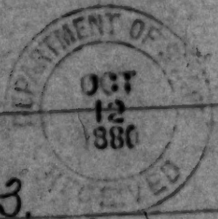
I beg leave to express to Y. I. H. the pleasure and satisfaction with which I have learned of this action on the part of His Imperial Majesty.

I have, etc.,

(signed) George F. Seward.

Bureau of Accts for examination C.P.

Made



No. 743. One Enclosure.

Legation of the United States.

Peking, August 16th, 1880.

George F. Seward to the Secretary of State.

Subject.

Incidental expense account.

Synopsis.

Covers statement of this account for the quarter ended June 30th 1880. Refers to despatch number 532. and renews request for authority to draw for surplus expenditures.

M Accts for Contgt Expenses for year ending June 30. 1880 allowed for $625.00 and no more

C P

No. 743. One Enclosure.

Legation of the United States.

Peking, August 16th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I have the honor to hand to you, herewith, a statement of the incidental expense account of this Legation for the quarter ended June 30th, 1880. No 743.

Although this account has been administered with the most rigid economy, and although some items of expense have been met by the members of the Legation which properly should be

be paid by the Government, the expenditures have, as you will see been in excess of the allowance to the extent of $41.18.

In this connection I beg leave to recall your attention to my despatch, number 532. of December 13th, 1879. with which was forwarded a statement of the excess of expenditures over the allowances for the incidental expenses of this Legation for the three years from July 1st, 1876. to June 30th, 1879. amounting to $831.16. The vouchers forwarded with the various accounts for these years will show plainly, as I think, that the expenditures

were

were, without exception, of a nature such as to render them legitimately chargeable against the Government.

I beg leave therefore to request that, if possible, you will authorize the Secretary of Legation to draw upon you for the amount indicated, and also for the excess of expenditures for the year just ended, the sum total being $872.34

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosure.

1. Incidental Expense Account for quarter ended June 30th, 1880.

No. 744.

Legation of the United States.

Peking, August 16th, 1880.

DEPARTMENT OF STATE
SEP 28 1880
RECEIVED

George F. Seward to the Secretary of State.

Subject.

Retirement from duty.

Synopsis.

Mr. Seward has taken leave of the Foreign Office and turned over the Legation to Mr. Angell.

No. 744.

Legation of the United States.

Peking, August 16th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I have the honor to inform you that I have to day taken my leave of Prince Kung and the Ministers of the Foreign Office, introduced my successor to them, and transferred charge of this Legation to the Honorable James B. Angell.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Recd. Oct. 12, 1880.

Bureau of accts
C. P. made

No. 745. One Enclosure.

Legation of the United States.

Peking, August 16th, 1880.

George F. Seward to the Secretary of State.

Subject.

Salary account.

Synopsis.

Encloses a statement of this account from July 1st to August 16th, 1880.

No. 745. One Enclosure.

Legation of the United States.

Peking, August 16th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I have the honor to hand to you, herewith, a statement of my account for salary from July 1st ultimo to this day. No. 745.

The statement shows a balance of $1659.36 due to me for which I shall draw upon you in the usual course.

In order to avoid confusion I have transferred to my successor, Mr. Angell, the

the sums received by me for passport fees since January 1st of this year, and he will account for them to the Department.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosure.

1. Statement of salary account from July 1st to August 16th, 1880.

Rec'd Sept 20. 1880.

No. 1.

DEPARTMENT OF STATE
SEP 28 1880
RECEIVED

Legation of the United States.

Peking, August 16th, 1880.

James B. Angell to
the Secretary of State.

Subject.

Arrival at post of duty.

Synopsis.

States that he reached this city upon the 9th of August and has relieved Hon. Seward.

No. 1.

Legation of the United States.

Peking, August 16th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I have the honor to inform you that I reached this city upon the 9th instant. An unavoidable delay of a few days has arisen in securing an interview with Prince Kung and the Ministers of the Foreign Office. That interview has taken place to day and I have assumed charge of this Legation.

I have the honor to be,

Sir,

Sir,

Your obedient servant

James B. Angell.

No. 2.

Legation of the United States.

Peking, August 16th, 1880.

DEPARTMENT
SEP
28
1880
RECEIVED

James B. Angell to the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Department instructions numbers 7. 8. 9. 10. 11. and 12. have been received.

No. 2.

Legation of the United States.

Peking, August 16th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I have had the honor to receive your instructions, numbered respectively, 7. 8. 9. 10. 11. and 12.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell

Report of Sept 20 1880
Transfer of Property from Legation to Consulate
Sec. of State to Auditor for State and Treasury Departments
Nov. 5. 1880
Archibald

Mr Blood

No. 3. One Enclosure.

Legation of the United States.

Peking, August 17th, 1880.

SEP 28 1880 RECEIVED

James B. Angell

to

the Secretary of State.

Subject.

Inventory of Government property.

Synopsis.

Forwards inventory certified to by Gov. Seward and Gov. Angell.

No. 3. One Enclosure.

Legation of the United States.

Peking August 17th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I have the honor to hand to you herewith an inventory of the furniture which is the property of the United States in this Legation, certified to by Mr. Seward and myself.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell,

Enclosure.

Enclosure.

1. Certified inventory of the furniture in the Legation belonging to the United States.

Inventory of Government furnit

Minister's House.

1	Drawing room carpet (70 yards)
1	Hearth rug
4	sets crimson satin curtains
5	gilt cornices for curtains
5	sets lace curtains
1	Sofa and easy chair crimson satin
2	easy and 6 small chairs drab reps
1	Water color picture
2	Mahogany commodes
1	Dining room carpet
1	Mahogany card table
1	Iron bedstead, spring hair mattress and 2 pillows
1	Camphor wood chest of drawers
1	Dressing table and glass
1	Washstand
1	pair Colored engravings (children)
1	Walnut crib and mattress
1	Picture "La Madonna de Rafelli"
1	Rug - 5 small Rugs
1	Lot cooking utensils (of little value)
2	Mahogany morocco cov'd easy chairs

ere in the United States Legation,

✓		153 yards Drab Carpet
✓	1	Canton dinner set
18	7	sherry glasses
18	11	port glasses
18	5	champagne glasses
18	13	claret glasses
18	12	hock glasses
18	1	Goblet
18	13	Finger bowls with tumblers
✓	4	Decanters
✓	2	Liquer decanters tray and 12 glasses
✓	1	Cruet stand
✓	1	Center dish
✓	2	preserve dishes
		Minister's office.
	1	Office chair and cushion
	1	Book case
	1	pair photographs Yosemite views
		Secretary's house
✓	1	Lacquered table
✓	1	piev glass
✓	1	4 light chandeliers
✓	1	Chandelier

1	Iron arm chair
1	Dining table
12	Dining chairs
1	Drawing room suite
1	Sideboard and dinner wagon
	Drawing room and library carpets
2	pairs rep curtains (drawing room)

Secretary's Office

1	Canton Desk
1	Iron safe
1	Despatch case
1	Copy press and old stand
4	Archive cases
1	Table (condemned)
1	Peking secretary
3	Camphor wood chests
1	Pine chest
	standing shelves

Despatch No. 8.
Enclosure.

We hereby certify that the list of furniture written herein is correct and complete in every respect.

George F. Seward.
James B. Angell.

Peking, August 16th, 1880.

Bureau of Accts.
C.P.

Dr Blood

One Enclosure.

Legation of the United States.
Peking, August 18th, 1880.

Chester Holcombe to
the Secretary of State.

Subject.

Statement of copying account.

Synopsis.

Refers to Department instruction number 8., forwards a regular account with vouchers. Mr. Holcombe has drawn upon the Secretary of State for the amount.

One Enclosure.

Legation of the United States.

Peking, August 18th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I have the honor to acknowledge, with my best thanks, the receipt of permission granted to me, in your instruction number 8. to Mr. Angell, to draw upon you for the sum ($540.00) expended by me for copying while in charge of the Legation.

I have accordingly drawn upon you for the amount named

named, and beg leave to hand
to you herewith a regular
account with vouchers, which
I trust will be found to be in
order.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosure.

1. Statement of sums expended for copying from July 1st, 1878. to June 30th, 1879.

Bureau of Statistics

Customs

No. 4.

Legation of the United States.

Peking, August 18th, 1880.

DEPARTMENT
SEP
28
1880
RECEIVED

James B. Angell to
the Secretary of State.

Subject.

Customs Gazette.

Synopsis.

Forwards under separate cover two copies for April—June 1880. (In Bur Stat)

No. 4.

Legation of the United States.

Peking, August 18th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I have the honor to hand to you herewith, under separate cover, two copies of the "Customs "Gazette. No. XLVI. April-June 1880." as published by order of the Inspector General of the Imperial Maritime Customs.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell

Instructs A. M. to enquire concerning reason for the disappearance of Mr. Cridler's telegram. Oct. 12, 1880. Mr. Cridler

Ack. Oct. 12

Sec. alone, telegram read on Tokyo Impolitic to interfere

Mr Blood

No 5.

DEPARTMENT SEP 20 1880 RECEIVED

Legation of the United States.

Peking, August 18th, 1880.

James B. Angell

to

the Secretary of State.

Subject.

Telegrams sent and received.

Synopsis.

Reports having sent one telegram from Tientsin, and acknowledges the receipt of a message in response.

No. 5.

Legation of the United States.

Peking, August 18th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Upon the 5th instant I had the honor to send to you from Tientsin a telegram in language as follows:—

"Evarts, Washington.

" — Pethick declines. Legation "unfurnished. Can you authorize "purchase furniture $3000

" Angell."

I have now the honor to acknowledge the receipt of your

your telegraphic instruction
in reply as follows.

" Angell, Minister, Shanghai.

" If necessary for the accommodation
" of yourself and other "
" Commissioners expenditure
" may be made."

" Wm H. Evarts. "

I shall have occasion
to address you upon this subject
at an early moment.

I have the honor to be,
Sir,
Your obedient servant.
James B. Angell.

No. 6.

Legation of the United States.

Peking, August 18th, 1880.

DEPARTMENT OF STATE
SEP 20 1880
RECEIVED

James B. Angell to the Secretary of State.

Subject.

Journey from Chefoo to Peking.

Synopsis.

Notes the incidents of the journey, and mentions the courteous attentions of Admiral Patterson and the officers under his command, and the hospitable reception accorded by the Viceroy at Tientsin.

No. 6.

Legation of the United States.

Peking, August 18th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

On the 2nd instant the members of the Commission sent to you from Chefoo an account of our journey and of the courteous attention we had received from Admiral Patterson and the officers under his command.

After consultation the Commission decided that it was best for me to come on at once

to

to Peking, and for my colleagues
to remain at Chefoo until I
had communicated formally &
with the Government here.
Accordingly I set out from &
Chefoo for this Capital on &
August 3rd &.

I desire to acquaint
you with such particulars of
my journey hither as will enable
you to appreciate the continued
courtesy and kindness of &
Admiral Patterson and the officers
of the "Richmond" and the &
"Ashuelot," as also the polite and
cordial hospitality of His &
Excellency Li Hung Chang, the &
distinguished Viceroy of this
province.

Although

Although the flag-ship "Richmond", owing to her draught of water, cannot cross Taku Bar at the mouth of the Peiho, the Admiral was so zealous in accomplishing what he understood to be the wishes of our Government that he insisted on taking me in the flag-ship to the Bar, and then transferring me with a salute to the "Ashuelot." He also ordered the Captain of the "Ashuelot" to salute both the outer and the middle forts on the Peiho, and to receive the Viceroy with the highest naval honors, should he visit the ship. These orders were faithfully executed

executed by Captain Johnson of the "Ashuelot", who, with his officers, has been unremitting in attention to myself and my family.

On my arrival at Tientsin on the evening of the 4th instant, Mr. Holcombe, Secretary of Legation, who had kindly come down from Peking, met me. Through him I at once communicated with the Viceroy expressing my desire to pay my respects to him. He informed me that he had been notified by the Foreign Office that the Commissioners and I were soon to arrive, and had been requested by them to assist us upon our journey.

He

He set an hour on the next day to receive me.

At the appointed time Mr. Holcombe, Secretary of Legation, six officers of the "Ashuelot" and I repaired to the viceroys residence. We were received very cordially. The viceroy showed by his questions a warm interest in our nation. He inquired with especial earnestness about General Grant. I assured the viceroy that his own name was well known and highly respected in America, and especially for his efforts to introduce into his province those improvements which had proved so conducive to the prosperity of western nations.

The

The interview lasted about an hour.

The next day at 10 a.m. he visited me on the "Ashuelot." He brought with him his friend Colonel Gordon and remained an hour and a half. For the few days previous there had been great anxiety at Tientsin and Shanghai lest war with Russia was about to break out. In this interview the viceroy expressed to me the belief that although the situation was very critical, war would be avoided. He spoke freely of the Lew Chew difficulties with Japan, and of his desire that General Grant should have acted as arbiter between

between the two nations. He courteously tendered me his steam launch to take me up the river as far as it could go. He inquired when the Commissioners would arrive, and requested me to dine with him on my return.

The ability of the viceroy is so commanding, his attitude towards us is of so great consequence now, and is possibly to be of so great importance hereafter, that I have thought it, perhaps, worth while to say this much of these interviews.

As Mr. Charles Dillon, French Consul, is discharging the duties of American Consul at Tientsin until the arrival of

Mr.

Mr. Burlingame, I take pleasure here in recognizing the courtesy which he showed to me, and which he shows to all our citizens to whom he can be of any service.

Mr. Holcombe's presence was of the greatest value to me on my visit at Tientsin and on my journey hither.

I arrived here on the 9th instant where I was hospitably received by Mr. Seward.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell.

Acts. expressing sat. isfaction - Dept. 30. 1880.
Mr. Cridler

Yes. satisfaction.
Co. P.

Dr Blood

No. 7.

Legation of the United States.
Peking, August 19th, 1880.

James B. Angell to
the Secretary of State.

Subject.

Archives and records of the Legation.

Synopsis.

Reports that the records and archives are carefully kept and are in good order.

No. 7.

Legation of the United States.

Peking, August 19th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have to day made a formal and careful examination of the archives and records of this Legation.

They are kept in the Secretary's office which is a separate and commodious building. They are well bound and arranged, and cared for. Not only is there a register and index of each volume, but the

Secretary

Secretary has prepared, with great labor, a topical index to all the volumes down to 1874 so that the correspondence on any subject can be at once readily referred to.

I take pleasure in commending the methodical and careful manner in which the archives and records are now kept.

I have the honor to be,

Sir,

Your obedient servant.

James R Boyd

Rec'd Oct. 12

Ack

made

No. 8. Two Enclosures.

Legation of the United States.

Peking, August 20th, 1880.

PRINTED.
FOREIGN RELATIONS
1880

James B. Angell to

the Secretary of State.

Subject.

Use of English language in correspondence with Chinese officials.

Synopsis.

Refers to Mr. Seward's despatch number 719. and encloses further correspondence with Mr. Lord. Change desirable, but must come gradually.

A.R.

No. 8. Two Enclosures.

Legation of the United States.

Peking, August 20th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Referring to Mr. Seward's despatch, number 719. of July 6th, ultimo which covered a correspondence had with Mr. Consul Lord of Kiungpo regarding the adoption of the rule that our officials should use only the English language in addressing the Chinese authorities, I have now the honor to hand to you a copy of a further despatch 1/8 from

2/8 from Mr. Lord, together with a copy of my response.

While admitting the desirability of a change in this regard, I am of the opinion that it cannot suddenly be made, but must come gradually as the Chinese become provided with competent interpreters from among their own people.

I have the honor to be,

Sir,

Your obedient servant

James B. Angell

Enclosures.

1. Mr. Lord to Mr. Seward
No. 127. July 22nd, 1880.
2. Mr. Angell to Mr. Lord.
No. 3. August 20th, 1880.

Despatch No. 8.
Inclosure 1.

Mr. Lord to Mr. Seward.
No. 127. July 22nd, 1880.

Sir:—

Referring to my despatch No. 124. remarking on the impolicy of continuing to forego the right of using our own language in making communications to the Chinese authorities, and to your despatch No. 69. in reply thereto, I have now a remark or two further that I should like to add.

First: I am much pleased with the approbation which you expressed of my views, and the encouragement which you gave to any attempt that I might make to carry out these views, so far as it could be done without detriment to the interests committed to my care.

Second: This encouragement is in itself valuable, as under its influence a Consul will no doubt find opportunities to do something in the direction of the reform

desired.

desired. Still the reform must go on but slowly unless action is taken on the subject at Peking. What seems to be needed is that the foreign Ministers there should unite in reminding the Chinese Government that the time has now come when it can and should provide its own translators. But if concerted action cannot be had individual action might do, since what is desired is so obviously our right both by the usage of nations and the stipulations of treaties. What is chiefly wanted is that the Peking Government should understand and assent to the desired arrangement and that it should send to its provincial authorities the instructions needed in regard to it. Without such instruction these authorities will neither accept the situation nor make any preparations for it. If reminded

that

that the situation belongs to them not only by the usage of nations but by the stipulation of treaties, they would doubtless reply that the stipulation referred to — to receive without translations the communications of foreign officials — related to future time and future circumstances; and that these — have not yet arrived, or if they have they are not supposed to know it until informed by their Government.

But I need not multiply words on the subject. Your own knowledge and experience must show you how little Consuls can do in a matter of this kind without Ministerial help. I can only hope that such help may be possible, and speedy. For to my mind the subject is one of very great importance.

I have the honor, etc,

(signed) Edward C. Lord.

Despatch No. 8.
Inclosure 2.

Mr. Angell to Mr. Lord.
No. 3. August 20th, 1880.

Sir:—

Your despatch (No. 127.) to my predecessor in office, Mr. Seward, calling attention to the desirableness of action of the Diplomatic Body at Peking, in order to facilitate the adoption of the rule of addressing the Chinese Authorities in our own language, is before me.

I take pleasure in saying that I am in hearty accord with your views. Those views are indeed recognized formally in the Instructions of the Department to the diplomatic representatives of the United States. I shall be glad to improve any proper opportunity to hasten the result you desire. But progress in that direction must of course be somewhat slow. And there are doubtless some incidental advantages, which your long experience in China

(enables

enables you to appreciate, in using their language as a medium of communication with the Chinese.

I am, etc.,

(signed) James B. Angell.

Rec'd Oct. 12

Ack

made

No. 9. Two Enclosures.

Legation of the United States.

Peking, August 20th, 1880.

James B. Angell to

the Secretary of State

UNITED
1880

Subject.

Cargo boat regulations.

Synopsis.

Refers to Mr. Seward's despatches numbers 623. 643. and 654. and reports a later attempt to put such regulations in force at Foochow with correspondence.

A.R.

No. 9. Two Enclosures.

Legation of the United States.

Peking, August 20th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Referring to Hon. Seward's despatches, numbers 623. 643. and 654., having regard to an effort made by certain Chinese local authorities to levy a tax upon cargo boats at the treaty ports of China, I have the honor to hand to you a copy of a despatch No. 9. received from Hon. Hle Lano, late United States Consul at Foochow, reporting that a similar effort has

has been made at this port, and stating the action, in opposition to the rules, taken by the Consular Body and the Chamber of Commerce.

I also beg leave to submit

2/9. a copy of my reply, addressed to Mr. Thingate, in which I have expressed my concurrence with Mr. Seward's views upon this subject, to which I have called Mr. Thingate's attention.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell

Enclosures.

1. Mr. de Lano to Mr. Seward.
   No. 168. June 3rd, 1880.
2. Mr. Angell to Mr. Thingate
   No. 2. August 20th, 1880.

Despatch No. 9.
Enclosure 1.

Mr. De Lano to Mr. Seward.
No. 168. June 3rd, 1880.

Sir:—

I have to inform you of another effort put forward (tho' it has not yet assumed official form) to impose restrictions upon foreign owned Cargo-boats, and to bring them so completely within the control of the Customs as to hamper their movements, give undue annoyance to their owners, and greatly obstruct the trade of the port.

On the 28th ultimo the Commissioner sent to the Senior Consul Mr. Sinclair, a semi-official note covering a series of rules, a copy of which I enclose herewith; which he proposed to submit to the Inspector General for approval, with the view to putting them in force, and he asked Mr. Sinclair to solicit for them the approval of his colleagues of the Consular Body. Mr. Sinclair called upon me and handed me a copy of the proposed

(rules

rules, when we decided to elicit from the boat owners and the Chamber of Commerce an expression of opinion as to the effect they might have upon the movement of cargo and the general interests of foreign merchants at the port.

After a consultation of the Consular Body with the Committee of the Chamber of Commerce, the conclusion reached was that the rules were impracticable and could not be enforced without serious detriment to foreign interests and danger of much obstruction to trade.

On the 1st instant the Commission was invited to meet the Consuls and Chamber of Commerce committee, with a view to offering him an opportunity to explain the general object and intent of the rules, and why the change from the practice of many years was proposed.

The main and almost only reason given for the proposed change was, that native boat owners had

(been

been suspected of violating existing regulations and defrauding the revenue. The Commissioner stated that if the new rules were adopted they would be available to prevent unlawful practices of Chinese or unscrupulous foreigners who might hereafter engage in the carrying trade of the port, but the practice as to present owners of boats would remain essentially the same as it now is and has been for years. His explanation was not deemed satisfactory, as it was thought to be injudicious to rest such authority in the hands of Commissioners, some of whom might be found to avail of it to the serious damage of trade.

On yesterday the Commissioner notified the Consuls that he would not take further action in the matter until after communicating with the Inspector General.

It may be pertinent for me to state that, in the interests

of

of American citizens, who are the largest owners of cargo boats here, I should object to the adoption of any rules which would place foreign owned boats any more within the control of the Custom's authorities than they are at present.

Looking to Art. XIV of the British treaty and Reg. X framed in pursuance of the Treaty of 1843, it appears to me that foreign merchants may employ any lighters or cargo-boats they please when they have cargo to load or discharge, and that if smuggling is done or attempted, the Customs have their remedy in seizure.

I have the honor, etc.

(signed) M. M. de Lano.

Cargo-boat Registration.

1. All cargo boats must be provided with a Customs Register Certificate to enable them to ply as such within the limits of the Harbor.

2. The name of the bona fide owner of the cargo boat will be required to be given, and, in the case of those registered in the name of Chinese that of a guaranteeing hong deemed satisfactory by the Customs.

3. The limits of the Harbor are "Upper limit" the stone bridge known as the "Wan shou chiao". "Lower Limit" Pagoda Anchorage - inside a straight line running S.E. from Lo Sing Island to a white square marked on the rocks on the opposite side of the river, having the letters T.L. in black inscribed therein.

(4.

4. All cargo boats must come to the Custom House Jetty, at Tantai, once every 3 months, to be inspected, when the certificate issued at the time of Register will be endorsed according to result of inspection.

5. Cargo boats found plying, whose certificates have not been endorsed as above, will be suspended from work till the owner shall have complied with this requirement.

6. No alteration affecting the construction of cargo boats to be made without securing the sanction of the Custom House.

7. Any change in regard to ownership or guarantor, of any cargo boat to be notified in writing to the Custom House.

8. Custom's officers will have instructions to lock the boats (at

at the termination of the working of cargo.

9. Cargo boats cannot return, up river, after the examination of their export cargo at the Customs Jetty (Nantai), nor can they pass that jetty with Import cargo till after examination thereof.

10. Cargo boats cannot carry any other Export cargo but that declared in permits, which will give the number of the cargoboat as entered on the application.

11. Cargo boats cannot leave the Customs jetty or ship's side with cargo on board before being locked up by a Customs officer, except in the case of discharge of Imports where there is no officer on board when the boat is ready to leave the ship's side.

12. Cargo boats laden and started on their journey, up or down the river, as the case may be, cannot anchor in the river except for good reasons assignable.

13. The numbers of all cargo boats registered in the names of Chinese must be painted on white ground in black letters; and those registered in the names of Foreigners on a black ground in white letters.

14. Breach of any of the above regulations will render the owner or his guarantor liable to punishment according to the circumstances of the case and the law applying thereto.

28th May, 1880.

General Regulation X Under which the British Trade is to be conducted at the five ports of Canton, Amoy, Foochow, Ningpo, and Shanghai.

Lighters or Cargo boats:- "Whenever "any English merchant shall have to "load or discharge cargo, he may hire "whatever kind of lighter or cargo-boat "he pleases and the sum to be paid "for such boat can be settled by the "parties themselves without the interference "of the Government. The number of these "boats shall not be limited, nor shall "a monopoly of them be granted to any "parties. If any smuggling take place "in them, the offender will of course "be punished according to law. Should "any of these boatpeople, while "engaged in conveying goods for English "merchants, fraudulently abscond with "the property, the Chinese Authorities "will do their best to apprehend them. "but at the same the English "merchants must take every due precaution

for

" for the safety of their goods.

Despatch No. 9.
Enclosure 2.

Mr. Angell to Mr. Wingate.
No. 2. August 20th, 1880.

Sir:—

On assuming the duties of my office I find here a despatch (No 168.) from your predecessor, Mr. de Lano, to Mr. Seward, giving a series of cargo-boat rules proposed by the Commissioner of Customs at your port, and the action of the Consular Body and Chamber of Commerce in relation thereto.

The subject of the establishment by the local authorities of the ports of rules for cargo boats and especially of subjecting the boats to charges has engaged the attention of this Legation and indeed of the whole Diplomatic Body here.

I fully concur in the views set forth by my predecessor in a circular issued March 15th, 1880. No 112. which you may take for your guidance.

As Mr. De Lano states that the Commissioner had notified the

Consuls

Consuls that he would take no further action until after communicating with the Inspector General, it is to be hoped that the local Authorities at your port will not attempt to enforce these rules without authority from Peking.

I am, Sir, etc,

(Signed) James R. Angell.

Rec'd Oct. 12

Letter supplied Oct. 18. 1880 Mr. Cutler approved

C. P.

made

No. 11. 10.

Two Enclosures.

Legation of the United States.

Peking, August 20th, 1880.

James B. Angell to

the Secretary of State.

PRINTED. FOREIGN RELATIONS 1880

Subject.

Regulations for land transfers at Foochow.

Synopsis.

An attempt has been made to put in force new regulations of an offensive nature. Consul instructed to inform the Chinese authorities that the new rules would not be assented to. Asks approval of this action.

No. 10. Two Enclosures.

Legation of the United States.

Peking, August 20th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I have the honor to transmit to you herewith a letter, number 1/10. 172., from Mr. de Lano, until lately Consul at Foochow, giving an account of an enforcement in an offensive way of certain rules of the Governor General of the province of Fukien, which are prejudicial to the interests of foreign residents wishing to acquire property.

I

2/10. I send to you, also, a copy of my reply sent to the present Consul, Mr. Hingate. You are well aware that the spirit of the inhabitants of Fukien has long been more unfriendly to foreigners than that of most of the other inhabitants of the coast provinces. It is thought that, since, some time ago, the English Supreme Court found the title of one of the English Missionary Societies to the premises it occupied invalid, and restored the property to the Chinese claimants, there has been kindled in the minds of the Chinese, both citizens and officials, a new desire and a strong hope of

making

making it uncomfortable, if not impracticable for foreigners to secure and hold leases of real property.

Obviously, if the example set by the officials in the case recited by Hon. Mr. Le Lano is to be followed, great and perhaps insuperable obstacles will be put in the way of our citizens who desire to lease property.

I trust my course in the matter may meet your approval.

I have the honor to be,

Sir,

Your obedient servant.

Enclosures.

Enclosures.

1. Mr. McLane to Mr. Seward.
No. 172. June 23rd, 1880.
2. Mr. Angell to Mr. Hingate
No. 3. August 20th, 1880.

Despatch No. 10.
Inclosure 1.

Mr. De Lano to Mr. Seward.
No 172. June 23rd, 1880.

Sir:—

I have on several occasions of late referred in my despatches called your attention to various acts of the local and provincial officers calculated to prejudice the natives against foreigners, and more particularly to intimidate their people so that they shall not dare to effect leases or sales of property to missionaries.

In the Autumn of last year the American Board Mission purchased on perpetual lease a piece of land in one of the suburbs of the city which they had occupied for a number of years under leases effected from year to year. They sent their deed of lease through the Consulate to the magistrate for registration, in the usual way, and in February last they reported to me that the sellers, the Teps of the ward, the

(middleman

middleman, the writer, and the witnesses had all been summoned to the Yamen for examination, were kept in the Yamen lock up two days and nights and had been squeezed collectively of the sum of some 13,000 cash.

This was a sudden departure from the prevailing custom at the port and was doubtless intended to make it impossible for the mission to make further purchases of ground. I first made enquiry about the matter and found that the new system had been inaugurated by order of the Viceroy, and later on addressed a letter to the Intendant on the subject, complaining that this official interference was contrary to the spirit and letter of Art. XII of our Treaty as well as to Art. XXVIII which forbids the extortion of illegal fees. I stated that according to my interpretation of those articles of the treaty, when Chinese subjects effected sales or leases of property to American citizens

citizens, voluntarily and without fraud or coersion, the authorities should not interfere or intimidate. That the custom of the past of sending a single Yamen runner to the seller to inquire if the sale had been voluntary and collect a fee of some 1.2 00 cash for stamping the deed, had answered all necessary requirements and had not been complained of, and that when new regulations were made or were about to be made affecting the interests of foreign residents it would be only fair and courteous to give notice to the resident Consuls.

I also suggested that as a means of preventing the possible extortion of unlawful fees by the runners, it would be better if the foreign lessor be required to pay the official fee for stamping the leases, and that it be sent by the Consul when sending the lease for registration.

The Intendant in his reply said "I find that in cases of perpetual lease

(by

"by foreigners from Chinese, of buildings
"or grounds, if the lease is sent to
"the Consul and by him to the local
"authorities the latter ought immediately
"to summon the sellers, middlemen,
"witnesses, etc. before them and after
"finding by clear examination that there
"has been no breach (of treaty) nor
"harm to the free course of the elements,
"and after making these men prepare
"a bond, they are immediately to affix
"their seal to the lease, retain a copy
"and return the other to the Consul.
"But when these men (the sellers,
"middlemen, witnesses etc.) are before
"the magistrate any illicit extortion
"of fees by the runners would be
"extremely improper.

I replied to the Intendant's despatch protesting against the practice and added, that if the new system was to be adhered to, American citizens, when effecting leases would be permitted to enter upon the possession of their property on depositing their title

title papers in the Consulate and the Consul might elect when he would send them to the Magistrate for registration. My last despatch brought no response, and as I have had no deeds for registration since there has been no revival of the question.

I shall feel obliged for your advice as to the proper course to be pursued in case the subject should again come up. If the new system were to be enforced there would be no Chinese who would venture to sell or lease property to our people.

I have the honor, etc,

(signed) W. M. DeLano.

Despatch No. 10.

Enclosure 2.

Mr. Angell to Mr. Wingate.

No. 3. August 20th, 1880.

Sir:—

I have before me Mr. De Lano's despatch No. 172. to Mr. Seward, giving an account of the enforcement by the Governor General's order of certain new rules, which are prejudicial to the interests of foreign residents wishing to acquire property.

When one examines these rules and the manner in which they were enforced in the case described and especially when one recalls the spirit so often shown in and near Foochow towards foreigners, one cannot escape the conviction that these regulations are intended as they are calculated to render the acquisition of real property by foreigners extremely difficult, if not impossible.

I heartily approve the general spirit of Mr. De Lano's remonstrance against this innovation. I may suggest that Art. XII of our treaty of 1858 furnishes

furnishes a stronger ground than Art. XXVIII on which to rest objections to these rules and an altogether sufficient and impregnable ground. Clearly the Treaty assures to our citizens the right to rent real estate freely of Chinese citizens who are willing to lease. Clearly the procedure resorted to in the transaction described by Mr. De Lano must have the effect to deter Chinese from leasing and so to hinder our citizens from obtaining leases.

You are authorized to say to the Intendant that the matter has been referred to this office, and that we cannot assent to rules and procedures so clearly in antagonism to our treaty. You may also say that in case any motification of the old regulations concerning the leasing of property by foreigners is made, it seems to us but courteous and proper that the Consul should be informed of it before it is put into execution

execution.

Mr. De Lano states that he had informed the Intendant that "henceforth American citizens, when "effecting leases, would be permitted to "enter upon the possession of their "property, on depositing their title "papers in the Consulate, and the Consul "might elect when he would send them "to the magistrate for registration."

It is so desirable to comply promptly with all reasonable requirements about the registration of leases that I will ask you to consider carefully what is wise in that regard. Your acquaintance with the circumstances and your discretion will, I am sure, lead you to a prudent decision.

I am, Sir, etc,

(signed) James B. Angell.

Clee-foo
China
Aug 21. 1880

Hon
Hon. Wm. Evarts
&c &c &c

Dear Mr Evarts

After full consultation and in entire conformity with Mr Angells view it was agreed that he should go to Peking, be presented and notify us when it would be proper for us to join him. At that time while we thought it might give us a little trouble to be all accomodated, we did not anticipate any insuperable difficulty.

But letters from Mr Angell and Wm just at this moment received from Wetmore inform us that it is impossible to accomodate us in the Legation. What shall we do?

I can understand that Mr Angell finds the Ministers house only sufficient for his wants and you will see from Holcombes letter to Dwight how entirely inconvenient he thinks it will be for him to give up his house. Two bed rooms in Mr Holcombes house will not accomodate Dwights family. As for myself and son I suppose we can be settled with less difficulty. But still I think you would wish us to pay regard to a certain propriety of Official life. The request

of which might prejudice the Commissions. Hence if you send us another Secretary in place of Mr Pethick, and an Interpreter, we will need still more room and some Office for the Commission.

The only furnished Hotel as I understand Mr Angell is that occupied by the Spanish Legation. The Spanish Ministry will go to Spain this week if it is peace and just now the impression is there will be no Ministry. But the Spanish Ministry will take some time to decide and we cant wait until he has made up his mind.

The other houses are unfurnished and I have this objection to the hotel which Mr Holcombe suggests: It is not as I hear a very nice place and Cole, the Correspondent of the Herald who went in the Roosevelt with Mr Angell has gone there. I dont come to have such an inquiring spirit his near me.

We shall wait to Angell & Holcombe today and if nothing can be done I will have to telegraph you altho I shall put that off to the last moment as it is so expensive.

I think it necessary in a day or two I will go to Peking myself altho I would prefer not to do so.

I am sure that we were right in letting the Legations precede us and I do not like to go up unless he notifies us that he wishes us to come up. But Mr Conger has been quite unwell and is in bed this morning and some arrangement must be made.

I am afraid it will be expensive and I prefer to telegraph you if it becomes necessary before acting.

I am writing in a great hurry to catch the mail and I beg you will consider this as an explanation of the telegram if I finally have to send it.

The general impression here is that the pardon of Prince Tuan and Kordons return, mean that for the present at least there will be no rupture. But the condition is too strained to last very long and I am very much mistaken if Russia does not mean to have Manchuria and Corea before there is a final settlement

Yours

Wm Henry Peirce

enclose copies
of letters from Legations
& Procès Verbal.

Copy of Mr Angell's letter of the 14 August
from Peking

e problem of getting quarters for us all here is
ous. I have finaly decided to purchase Sewards
nition as the cheapest thing possible for me.
e is absolutely no room in Holcombe's house
anybody but Mr and Mrs Swift and Miss Torbert
d to do that requires the only spare guest room
the whole Legation. In order that you may have
the information possible. I am daily pushing inves-
tions. There is a hotel vacant and unfurnished
ich the Spanish Legation once occupied and
Hart has an unfurnished house which possibly
not certainly can be had. But I know you can
wish to furnish. There is a possibility that the
el now occupied by the Spaniards can be had.
d if so it would be I think quite satisfactory.
e Spanish Minister told me that if there was
war here he should go to Siam for the winter.
e Brazilian Minister now at Tientsin told me
e came here he should take the Hotel in España's
ce. But the latter told me he should advise
Brazilians not to come here at all and the
d-keeper has heard nothing from the Brazilians
d has promised them nothing. España now
ientsin will be back next week I can then
haps learn more. There is another Hotel where
d is which might do after considerable

furnishing. But depend upon it I will do
the best I can for you

Legation of the United States,

Peking, August 14th 1880.

Dear Mr. Prescott;—

I have delayed somewhat replying to your kind note of the 2nd instant, hoping to be able to write definitely in regard to arrangements for the accommodation here of yourself and son and Mrs. Swift and family. I am very sorry to be able, at the moment to say more upon that subject than that it seems quite impossible to arrange for you all within the Legation premises. There is, however, a very good hotel quite near here, and we hope to be able to make some arrangement for you there. There are two good houses near us for sale at price $10,000 — but of course the purchase of them is quite out of the question.

Mr. Angell has his formal call upon the Chinese Authorities upon the 16th, and I see no reason to anticipate any considerable delay in putting business matters in train here. I have no doubt that he will be ready to return to Chefoo for his family by the last week in this month. I may accompany him as far as Tientsin, and

possibly to Chefoo.

Either Inv. Angell or Linville will write you again as soon as anything definite can be arranged for your personal accommodation here.

Yours sincerely
Chester Holcombe

Legation of the United States,
Peking, August, the 14, 1860.

ar Mr. Swift:-

Mr. Angell handed me your letter
ugust 2nd upon his arrival at Tientsin.
have delayed answering until the present in
hope that I might be able to make some definite
liment in regard to arrangements here for
self and Mrs Swift. I regret that it is still
possible for me to say anything positive upon
subject.

In my opinion it will be difficult
not impossible for you to rent any furnished
use in this city where you could live
writing what I did to Mr Angell at Shanghai
had no thought of any such arrangement as
uld involve the renting and vacating my
n house. My house is very thoroughly furnished
elegantly but comfortable- and contains
arge number of "curios" many of which are
ensive and rare. I should not be able to pack
m away and should be a good deal puzzled
know what to do with them if I vacated the house
self. Nor, do I see exactly where I should find
mfortable quarters in such an event.
nder these circumstances I do not see my
y clear to accept any proposal to rent my
use. Nor, on the other hand do I wish to be

understood as absolutely refusing to listen to such proposal. I am exceedingly anxious to secure some suitable and comfortable arrangement for our family and Mr Tuscat and if no other plan is feasible, I wont say but that I would assent to such proposition. But one thing seems plain. that such arrangement would not in any way provide Mr Tuscat and his son. My house has but two bed-rooms both of which you would require.

I wish very much that you had come on to Peking with Mr Angell as we could then have planned much more intelligently.

You asked me my dear Mr Swift to write you frankly upon this somewhat difficult question and have done so. I should however regret very much anything which I have written should cause you to doubt for an instant my sincere desire to aid you, not only in the Official work which you came to China to perform but also in securing a suitable home for Mrs Swift and yourself so long as you may have occasion to remain here.

I will write you upon this subject again at an early moment. Please present my compliments to your wife and Miss Forbes

Yours most sincerely
Chester Holcombe

Rec'd Oct. 12

No. 11.

Legation of the United States.

Peking, August 26th, 1880.

James B. Angell to

the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Department instructions numbers 13. 14. 15. and 16. have been received.

No. 11.

Legation of the United States.

Peking, August 26th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I have had the honor to receive your instructions numbered, respectively, 13. 14. 15. and 16.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell

Rec'd Oct 12

Ack

wade

No. 12.

Legation of the United States.

Peking, August 26th, 1880.

James B. Angell to

the Secretary of State.

Subject.

Introductory interviews with the Chinese Foreign Office.

Synopsis

Reports that these interviews, which occurred upon the 16th and 23rd instants were pleasant and cordial.

No. 12.

Legation of the United States.

Peking, August 26th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Upon the 16th instant, by appointment, my predecessor, Mr. Seward, and I were received by His Imperial Highness Prince Kung, and the Tsung li Yamen. Mr. Seward announced his recall with appropriate reference to the pleasant intercourse he had had for so long a time with the gentlemen present and presented me as his successor.

The

The Prince and the members of the Yamen made polite response to Hon. Seward, and very cordially welcomed me. I took occasion to assure them that the President strongly desired to continue the pleasant relations which had always existed between the United States and China, and that my aim would be to do all in my power to accomplish that end. To this the Prince and the Ministers responded very cordially.

On the 23rd the Prince and the Ministers returned my call at this Legation. The interview was very pleasant, but nothing specially noteworthy occurred.

occurred.

The question of presentation to the Emperor is not agitated here at present, and, I suppose, is not likely to be during the childhood of His Majesty.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell

Rec'd Oct. 12 To be shown to the Secretary

made

No. 13. One Enclosure.

Legation of the United States.

Peking, August 26th, 1880.

James B. Angell to

the Secretary of State.

Subject.

Appointment of Commissioners.

Synopsis.

Covers copy of a letter requesting Prince Kung to memorialize the Throne for the appointment of Chinese Commissioners to treat with those named by the United States. Satisfactory action of the Foreign Office in the premises.

No. 13. One Enclosure.

Legation of the United States.

Peking, August 26th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I came here with the purpose of making my first formal business the announcement to the Chinese Government of the arrival of the Commission, and the request for an early appointment by His Imperial Majesty of Commissioners or Ministers to negotiate with my colleagues and myself.

Official proprieties required

required me to delay until after I had been received by Prince Kung and the Yamen, and until they had called upon me. After their visit on the 23rd ult. instant, I at once sent to the Prince the communication herewith enclosed asking him to memorialize the Throne for the appointment of Commissioners.

1/13

As I was desirous of hastening the appointment by all proper means and also of securing the appointment of officials who should be satisfactory to the Commission, the Secretary of Legation has to day, at my request, paid a visit to the Yamen to confer upon

upon the subject. He learns from them that His Imperial Highness, Prince Kung, very promptly memorialized the Throne, that undoubtedly action will be speedily taken, and that the Prince and the Yamen will be appointed to negotiate with us.

I regard this action as very satisfactory in every respect. Not unfrequently the Chinese Government appoint provincial officers to negotiate treaties and have the negotiations conducted at some other place than Peking. I deem it advantageous that we have to deal with the chief

authority

authority charged with the conduct of foreign affairs. It would also have been extremely inconvenient for me to perform the ordinary ministerial duties, if the negotiations had been held away from this city. It is gratifying that there is no occasion for any discussion with this Government in respect to the initiation of the business of the Commission.

I shall at once inform my colleagues who are still at Chifoo, of the steps taken, and I presume they will arrive here at an early day.

I

I have the honor to be,
Sir,
Your obedient servant.
James B. Angell

Enclosure.

1. Hon. Angell to Prince Kung.
67/1880. August 23rd/4, 1880.

Dispatch No. 13.

Inclosure.

6/1880. Legation of the United States.

Peking, August 23d, 1880.

To His Imperial Highness

Prince Kung.

Sir:

I have the honor to announce that the President of the United States desirous of perpetuating the harmonious relations, which have so long existed between the United States and China, has appointed the Undersigned and also John F. Swift and William Henry Trescot, Commissioners Plenipotentiary, and has empowered them or any two of them to confer with the Minister or Ministers, Commissioner or Commissioners, whom His Imperial Majesty, the Emperor of China, may appoint and furnish with like authority on the part of his said Majesty, and has also empowered them to sign a Treaty or Treaties, Convention or Conventions, to the end of effecting

effecting a settlement of questions of interest now pending between the two Governments.

The Commissioners, Mr. Swift and Mr. Forbes, have already arrived in China, and with myself will be ready at once to meet the Ministers or Commissioners, whom His Imperial Majesty, the Emperor of China, may appoint, whenever we are informed that such Ministers or Commissioners have been named and empowered for the purpose.

The Members of the Commission, recalling the friendly spirit, in which all negotiations between the United States and China have heretofore been conducted, confidently indulge the hope that they may at an early day have the pleasure of meeting Ministers or Commissioners, duly accredited by His Imperial Majesty, and that results may be secured which will

will be of benefit both to China and the United States, and which may tend to continue that amicable and cordial feeling that has always marked the intercourse of the two Governments.

I transmit herewith a copy of the President's announcement of the appointment and empowering of the Members of the Commission.

I respectfully ask in behalf of my Colleagues and myself that Your Imperial Highness will memorialize the Throne to the end that Ministers or Commissioners may be appointed on the part of His Imperial Majesty.

I gladly take this opportunity to express to Your Imperial Highness the sincere respect with which I have the honor to be

Your obedient servant.

(Signed) James B. Angell.

Rec'd Oct. 12

Ack

Made

No. 14. One Enclosure.

Legation of the United States.

Peking, August 28th, 1880.

James B. Angell to

the Secretary of State.

UNITED STATES RELATIONS 1880

Subject.

Copy right in China.

Synopsis.

Covers a letter addressed to Hon. John F. Wilbur of Germantown Pa. upon this subject. No copy right in China.

4. 12.

No. 14. One Enclosure.

Legation of the United States.

Peking, August 28th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Mr. John F. Wilbur of Germantown, Pa., has written me, as he says, by the advice of the Assistant Secretary of State, asking what are the rights of a foreign author to his publications in this country, and also whether a resident here can represent the author and so protect his rights.

As other Americans may desire

desire information on the
1/14. subject, I herewith communicate
to you my answer to him.

I have the honor to be,

Sir,

Your obedient servant.

James R. Doyle

Enclosure.

1. Mr. Angell to Mr. J. H. Wilbur.
5/1880. August 28th, 1880.

Despatch No. 14.
Inclosure.

Mr. Angell to Mr. John T. Wilbur.
No. 37/1880. August 28th, 1880.

Sir:

I have received your letter of June 30th, 1880. inquiring what are the rights of a foreign author to his publications in this country and also whether a resident here can represent the author and so protect his rights.

In reply I beg leave to say that there is no copy-right law, and no law of any kind in China to protect the right of authors in their works. On the other hand there is hardly any risk that any publisher will attempt to reproduce any of your works, which you may print here or send here. The foreign community is so small that there is no inducement to a publisher to make a reprint of a work in any European language. And no one would think of reprinting any work you might publish in Chinese.

I

I am, Sir, etc,

(Signed) James B. Angell.

File

Ack

made

DEPARTMENT OF STATE
OCT
12
1880
RECEIVED

No. 15.

Legation of the United States.
Peking, August 28th, 1880.

James B. Angell to
the Secretary of State.

Subject.

Russia and China.

Synopsis.

Affairs still critical. But the imminent danger of war is passed.

H.R.

No. 15.

Legation of the United States.

Peking, August 28th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

Though the danger of war between Russia and China is, for the present, averted, it can hardly be said that the relations of the two nations have passed beyond a critical stage. The telegraph, I am well aware, may, before this despatch can reach the Department, deprive its statements of a large part of their value. But I trust that it

~~it may not~~ it may not prove altogether superfluous to report to the Department the view which we gain here of the chief factors which enter into the determination of this question of war or peace between this Empire and Russia.

On my arrival here on the 9th ult. instant, I found a strong conviction on the part of some of the foreign Ministers that war was imminent. Those who took an opposite view based their opinion upon the belief that China would concede what Russia asks rather than fight. The pardon of Chung how announced by Mr. Seward in his

his number 742, at once
relieved the anxiety of those who
had feared war. It was believed,
no doubt with justice, that
Russia had made his pardon
the sine qua non of opening
negotiations with Marquis Tseng,
who had been sent to St Petersburg,
and the yielding of the Chinese
Government to the demand was
accepted as an indication that
the peace party here had gained
the ascendancy. There seems,
therefore, good ground for the
opinion that hostilities are to be
avoided for some time at least.
The hope is more or less strongly
cherished that the negotiations at
St Petersburg may result in a
peaceful

peaceful settlement of the difficulties between the two nations.

But it is by no means certain that the danger of war is passed. It is probable, indeed, that the Chinese are willing to make large concessions, perhaps, if somewhat different in kind, as large in fact as those proposed in the rejected treaty of Livadia. Yet it is not certain that Russia is now willing to settle on so moderate terms, or indeed that she may not see substantial reasons for preferring a war when her preparations are completed. In one word, it seems probable that it depends on the will of Russia whether

there

there shall be war. She may desire it in order to make sure of Kuldja, and by the permanent occupation not only to profit directly by the possession of the territory, but also to impress the peoples of Central Asia with her power. She may desire war in order to "rectify her frontier" in Manchuria. If she accomplishes this, it is entirely within the range of probability that Korea shall fall, like ripe fruit, into her lap, and thus that she shall gain control not only of its trade, but of excellent harbors which she so much desires to secure in a latitude where they may be accessible

accessible through the winter.

Whether Russia really desires war for the accomplishment of some or all these objects, we have not the data to decide. She is doubtless concentrating troops to some extent on the borders of Kuldja and of Manchooria. She is certainly augmenting her naval force in Chinese and Japanese waters. But these measures are entirely compatible with a peaceful temper. They are proper precautions in the present relations of Russia with China.

Of the military results of a contest between the two Powers no intelligent foreigner here

there has any doubt. The defence of China could not be serious. The Russians could easily seize the capital and make their own terms.

Briefly, then, it may be said that, so long as the policy of China is determined by the officials now in the ascendant, though jealously watched and bitterly opposed by a powerful party at Court, it must depend mainly on Russia whether war is to come. The conflict may be only postponed, not altogether averted. In the various difficulties on the long frontier there are always provocations enough to serve as plausible or real grounds for

for hostilities if Russia desires the contest.

I have the honor to be,
Sir,
Your obedient servant.
James B. Angell

Made

U. S. Commission
China

No 2

Confidential

In relation to Commodore Shufeldt's interview with the Vice-Roy of Chili.

Begin

U. S. Commission

Chefoo China

No 2 August 28. 1880

Confidential

Hon

W. M. Evarts

&c &c &c

Sir

We deem it proper to submit to your consideration following facts

Some days ago Commodore Shufeldt in the Flag Ship Ticonderoga arrived here. He informed us that he was on his way to Tientsin to which place he had been invi-

ted by letters both personal and official from Li-hung-Chung the Vice-Roy of China. The letters, which he showed us, expressed an earnest desire on the part of the Vice Roy, that he might have the opportunity to meet Commodore Shufeldt, to acknowledge certain services which the Commodore had rendered the Chinese Government, and to manifest his anxious disposition that the relations of China and the United States should be placed on a firm and friendly foundation.

Leaving Ticonderoga here Commodore Shufeldt proceeded in one of

the Mail-Steamers to Tientsin where he had a full, interesting and we think important, interview with the Vice Roy.

As you are aware Commodore Shufeldt has not up to this time succeeded in opening communication with the Corean Government, and he leaves us under the impression that the Japanese Government had not manifested any very earnest interest in facilitating his endeavours. He therefore expressed to the Chinese Vice Roy his wish that His Excellency would exert such influence as the Chinese Government possessed to induce Corea to re-

gotiate a treaty with the United States. After some discussion the Vice Roy assured him that he would at once send a special Courier to the Corean Government, advising the establishment of such treaty relations as the Commodore was authorized to secure. But he added that it would be probably four months before an answer could be received.

The Vice Roy then proceeded to signify his wishes and to indicate the practical purpose for which he had invited the interview. That in brief was, first to ask Commodore Shufeldt's opinion as to the con-

dition of the Naval and coa-
st defences of China and next
to know whether if the Chinese
Government applied to the
United States for a naval
officer of rank to whom it cou-
ld entrust the organization
and development of its naval
force, the request would be
favorably received. Such an
application you of course un-
derstand was contemplated
only in case the peaceful rela-
tions of China were preserved:
and in this connection the
Vice Roy assured Commodore
Shufeldt that they would not
be disturbed by any action
taken by the Chinese Government.

omit

Under these circumstances it occurred to us that if Commodore Shufeldt was detained in these waters waiting for the result of the Corean negotiations it would be desirable that he should be attached to this Commission. This would have given us the benefit of the confidence with which the Vice Roy seemed disposed to treat him and would furnish a reasonable explanation of his stay. If in the mean time the Government of the United States was disposed to take the advantage which the invitation of the Chinese Government seemed to open for the introduction

of our own skilled workmen in their naval preparation and the establishment with the Government of China itself of a legitimate and useful influence. Commodore Shufeldt would have the opportunity without attracting attention or provoking suspicion of strengthening the purpose and giving practical direction to the wishes of the Chinese Government.

While under his instructions Commodore Shufeldt conducted his cruise as nearly terminated and expected about 1st October to go home and make his report to the Government. he was entirely

willing to remain with us if his services were considered desirable. And he offered to take us from this place to Shanghai if we wished to telegraph a request that he be allowed to remain with us.

We were very much disposed to do so. but Mr Angells absence rendered it impossible to consult him and we did not feel at liberty to act without giving him the opportunity to approve or disapprove our views. It would also have been impossible to send such a telegram open. and we had no means of telegraphing in cypher. Nor could we anticipate

the wishes of the Department whether it would prefer that Commodore Shufeldt should remain to conclude the Corean negotiations or that they should be transferred to the United States Minister at Pekin in in case the Chinese intervention promised to be successful.

We have deemed it however proper to say that if Commodore Shufeldt is to be kept here, the relations thus established between himself and Li-hung-Chang might be very serviceable to us. We have heard indirectly that the Vice Roy has positively declined to act upon the Chinese Comm-

ission which is to be appointed to meet us. How true this is we have as yet no means of knowing but he will exert probably no less influence upon the negotiation than if he was officially concerned.

Whether under such circumstances the means of confidential communication with him suggested by the interview with Commodore Shufeldt might not be usefully employed it will be for you to determine. We suppose a telegraphic reply to the suggestion would reach him before he left in October, but in the event of your so determining we would ask that it be distin-

tly understood that he will act under the instructions of the Commission.

Our reference to Commodore Shufeldt's interview with the Vice Roy has been brief as we understand from him that both his invitation and his report of the interview have been sent to the Navy Department.

We further understand that when he left here on last Sunday. he would proceed to Nagasaki Japan then to wait a communication from Mr Bingham.

Sept 2 Letters just received from Mr Angell of 30th ult inform us

that he will be here on Saturday.
that Prince King and the
Yamen will be empowered to
treat with us and that he has
succeeded in making very sat-
isfactory arrangements for our
accommodation

We have the honor of being.
very respectfully

John F. Swift
"

Wm Henry Prescott

Chefoo
China
Sep. 3. 1880

My dear Mr Evarts

The conditions under which we are leave for Peking, in a few days, altho scarcely justifying a despatch, do I think require it be fully laid before you.

You will readily understand them by reading the letter of Mr Angell which I enclose as he will not be here until the day after the mail for the U.S. closes at this place.

I believe that both Mr Angell and Mr Holcombe have done the best they could and we are obliged for the trouble they have taken. The Legation residence itself is not larger than will be needed by Mr Angells family and I do not see how Mr Swift family can do with less. That Mr Holcombe should be very loth to put himself to the personal and official discomfort of fitting up his house with its domestic accumulation of several years residence is also perfectly natural.

The proposition which is now submitted is that the Commission take and furnish one office houses in the British Legation compound which Sir Thomas Wade has offered us. While I do not see what else Mr Swift can do, I confess I do not like it. It does seem unfit that the U.S. should depend upon the hospitality of a foreign legation with whose policy it may not always be in accord and the over-shadowing influence of which even now in Eastern affairs stands directly in the way of the course that it may be our interest in the future to pursue. I cannot but think that such hospi-

fully given and taken would produce here the impression of impropriety. It is true that Mr Angell says it is only an act of reciprocity but I do not yet know the circumstances under which Sir Thomas Wade occupied the Legation of the U.S. At any rate I wish it could be avoided. But assuming that Mr Dupt goes there, it is also very doubtful if the accomodation will be at all more than his family needs. The arrangement which Mr Angell has made with the Department and which I learn from his letter for the first time, is a very proper one and will I suppose enable Mr Dupt to furnish his house suitably. But even if it turns out that the house is large enough I am sure you will agree with me that it is not desirable that I should form part of the household of either. As the my relations with both these gentlemen and all the members of their families, have been and will continue to be most kind and cordial, it will follow as surely as I write that should any difference of opinion occur in great things - and also worse if they occur in small things, I will be supposed to be influenced by the sympathies and wishes of those with whom I am living. I would prefer therefore to be independent and as you see by Mr Angells letter there the alternative of his rooms at Mr Holcombes or three hired rooms the exact neighbourhood of which to the U.S. Legation I do not know. I do not quite like staying with Mr Holcombe and holding my domestic life subject to habits and ways of a host, who may be the very best of men but of whom I know nothing. Besides which Mr Angell has written twice to me suggesting that Mr Dupt and myself Telegraph you asking Holcombes appointment as Secretary of the Commission. So far we have not felt at liberty to do so, altho we have no objection to make if you think proper to do so, of your own accord. I need

not like to go there while that is undecided. There remains then the alternative of hired rooms. If they are furnished and the proper attendance for living can be reasonably had I think I will decide to take them. But if I find that this will impose undue expense I will not incur it in view of the expense to which the Dep. will necessarily be put in accommodating Mr Argell and Mr Dewpt. I will do the best I can and have stated these facts that the Department may form a fair judgment of whatever action I may take.

Our expenses so far altho not heavy are not light. But it cannot be helped. The harbour has several men of war in it. Our own officers, and the English and Spanish especially have been very attentive and polite and with the habits of an European settlement in the East, there must be some reciprocity in such courtesies. The cost of this has far from exhausted in certain sums up in final amount. By the way while on that subject I may as well mention a small fact. The French Admiral - quite an accomplished and distinguished officer - invited us on board the other day but in a fashion to shew pointedly that while he wished to be polite, he wished not as matter of etiquette make the first visit. As the Commanders of the Minorca and the Ticonderoga were both of opinion that the instructions of our Navy Dep. required such a first visit on the part of our own Admirals, we did not go. My view was that while there was no sort of obligation on the French admiral to call and he could meet us as he did very courteously and pleasantly at other places, yet if he wished us to be his guests on board of his Flag Ship, it was his part to call and say so.

From the facts stated in our complete dispatch - from the concessions of the Spanish Treaty referred to in a former private letter and from all I hear in various directions, I think we are warranted

in hoping at least, that our work will be accomplished sooner than we anticipated. I think from Mr Angell's letter that the preliminaries of a Commission might be arranged by 15th Sep and if so we might be fairly at work by 1. October. In that case I would suggest that if a Healy cutter be sent from Peking to Shanghai before navigation closes, say 12" Deer, it might be of service in securing the next Pacific Steamer from Yokohama, if the Admiral cutter get the Healy across in case it reached Shanghai between the lines of the regular mail steamers between China and Japan.

I will add in relation to the despatch which you sent and myself sent you marked "confidential" that if we had either known Commodore Shufeldt better so as to judge of what sort of element we were adding to the Commission or if we had known anything definite of his Corean instructions, we would have been very much disposed to keep him here if we could. But it was rather too delicate a matter, especially as you will conclude from the request for a naval officer, that a personal question might arise which we had neither right or wish to influence.

I hope I do not weary you with these letters and that before very long, we may have something which it will be worth while to write a despatch about. If we do get a Healy I take it for granted that you will not object to my bringing it

Very Truly

Jno Henry Prescot

Hon
Jno. M. Earle
&c &c &c

U S Commission

China

Chefoo

Sept 9 1880

DEPARTMENT OF STATE
NOV 4 1880
RECEIVED

No 3

In reference to accomodation in Peking and expenses

Ack + approve
C. P.

No 3

Chefoo
Sept. 9. 1880

Hon W. M. Evarts

&c &c &c

Sir

Mr Angell accompanied by Mr Holcombe arrived here on Tuesday 7th inst. and the whole Commission leave for Peking on the 11th in the U.S. vessels Monocacy and Ashuelot.

Upon their arrival Mr Angell and Mr Holcombe repeated the information conveyed in their letters that it would be impossible to accomodate the Commission at the Legation with due regard to the personal or official com-

for either of the Minister or of his Colleagues on the Commission. We have had therefore no alternative but to accept the hospitality of the British Legation and occupy the vacant house within their compound.

Sir Thomas Wade of course refusses to recieve any rent. The house according to the plan shown us by Mr Holcombe affords if not ample at least sufficient and proper accomodation. But the furniture now in it will have to be purchased as it is the property of the present occupant, the Chinese Secretary of the British Legation who leaves immedi-

ably on promotion. Mr Holcombe's
estimate of its value is $1500.
Mr Angell thinks that a large
portion of it will be needed for
permanent use at the Legation.
When we leave and both Mr
Angell and Mr Holcombe think
there will be no difficulty in
disposing of the remainder.
As however circumstances at
present permit us to hope that
our stay will be shorter than
was at first anticipated. we will
endeavor to hire the furniture
instead of purchasing it and
in case that is refused can
reasonably anticipate that the
difference between the purchase
and sale will be only a small

addition to the expenses of the Government.

We have endeavoured in consultation with Mr Angell and Mr Holcombe to form a fair estimate of the expenses of living which would appear to be about $1000 per month. There will be an additional outfit of about $500 for horses saddles & or sedan-chairs. none of which can be hired but must all be bought and without which we are informed it is impossible according to the usage in Peking to get along. But as in the case of the furniture the sale will very nearly balance the purchase. The estimate for current

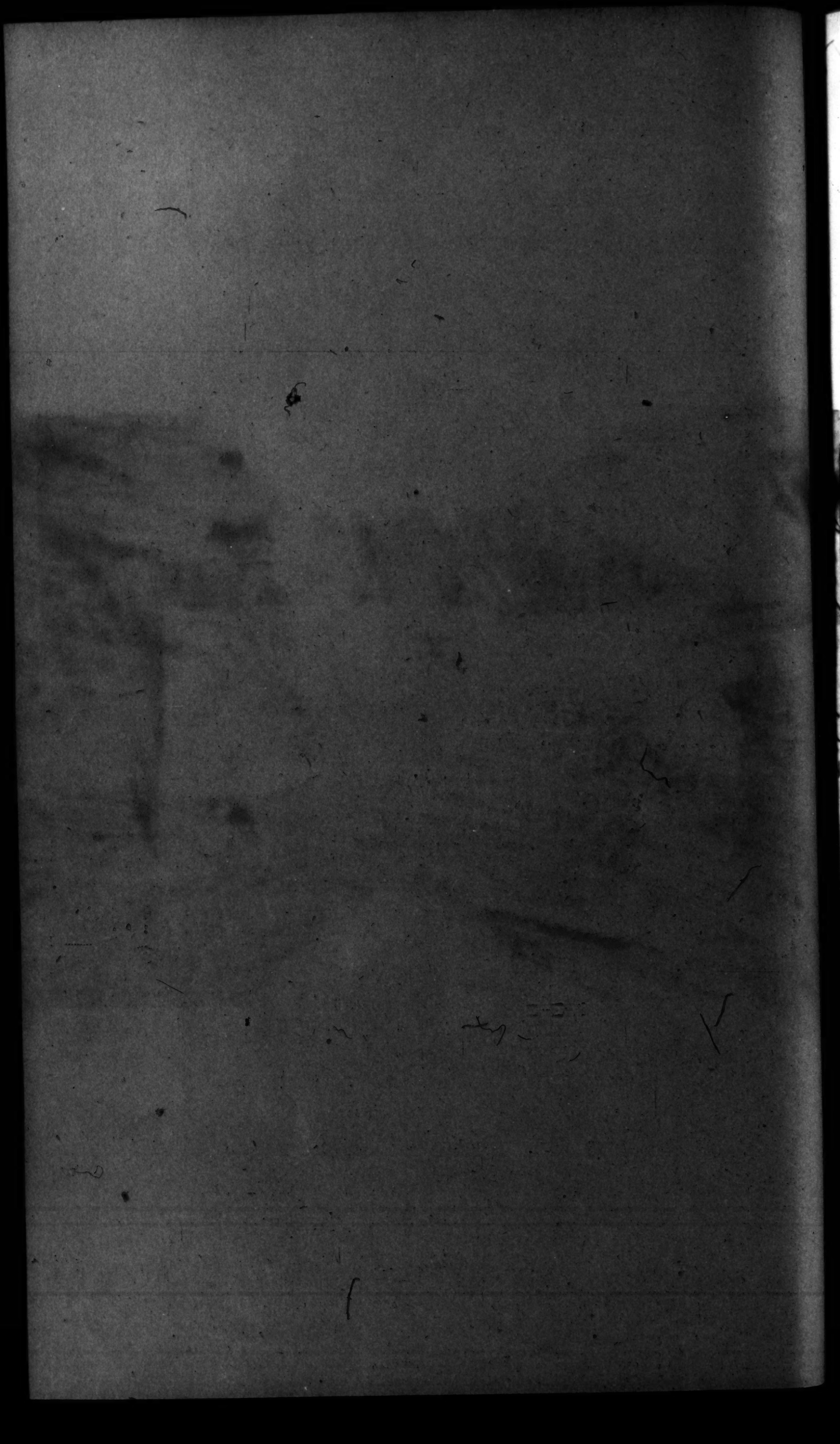
monthly expenses made by Mr Holcombe is one thousand dollars per month if we live together and somewhat more if we separate. /a/ This estimate we are satisfied is moderate from our expenses here and at Yokohama.

Mr Holcombe informs us that it will be absolutely necessary to put to our credit at least the amount for three months expenses and our information from Mr Denny who paid us a flying visit this morning is to the same effect. We have accordingly sent drafts to the Oriental Bank Corporation for $3500 instructing them to put $2000 to the credit of Mr Swift

and $ 15 00 to the credit of Mr Prescot.
This amount you understand
covers cost of all supplies which
we have been obliged to order from
Shanghai to Peking

We have the honour to be
very respectfully

Colnett Swift
Wm Henry Prescot



Telegram

Commission of the U.S.

China — Sep. 15, 1880

Form 3.

No. 497 **CABLE MESSAGE.** 9 30 PM

THE WESTERN UNION TELEGRAPH COMPANY.

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following Message.

A. R. BREWER, Secretary. NORVIN GREEN, President.

To Evarts | Received at 10 20 Sept 21 188

Secretary Washington

Secretary and interpreter Heenan Holcombe acting vice recommend his permanent appointment

Angell Shanghai Consul

19 Shanghai

Mail

[See other side.]

1

continue for the present. I await dispatches before deciding on permanent appointment.

Evarts

Secretary

Attended to

Referred to Bureau of Accts
made C. P.

No. 16. One Enclosure.

Legation of the United States.

Peking, September 20th, 1880.

DEPARTMENT OF STATE
NOV 15 1880
RECEIVED

James B. Angell

to

the Secretary of State.

Subject.

Incidental expense account.

Synopsis.

Forwards, at Hon. Seward's request, a duplicate statement for the quarter ended June 30th, 1880.

JM

Enclosure.

1. Duplicate of incidental expense account for the quarter ended June 30th, 1880.

Referred to Bureau of Accts
Made

No. 17. One Enclosure.

Legation of the United States.

Peking, September 20th, 1880.

James B. Angell to

the Secretary of State.

Subject.

Mr. Seward's salary account.

Synopsis.

Forwards, at Mr. Seward's request, a duplicate statement.

Wm I Acctt

No. 17. One Enclosure.

Legation of the United States.

Peking, September 20th, 1880.

Honorable William M. Evarts,

Secretary of State.

Sir:

At the request of Hon. W. Seward I have the honor to hand to you, herewith, a statement in duplicate of his salary account for the period from July 1st 1880 to August 16th inclusive. 1/17

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell.

Enclosure.

Enclosure.

1. Duplicate of Rev. Seward's salary account - July 1st to August 16th, 1880.

File

No. 18.

Legation of the United States.

Peking, September 22nd, 1880.

James B. Angell to
the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Department instructions numbers 17 to 25 inclusive have been received.

No. 18.

Legation of the United States.

Peking, September 22nd, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I have had the honor to receive your instructions, numbered respectively 17. 18. 19. 20. 21. 22. 23. 24. and 25.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell.

To be shown to the Secretary upon his return — C. P.

Sept 23. 1880

Form 21.

No.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following Message.

A. R. BREWER, Secretary. NORVIN GREEN, President.

462 pm Received at Washn DC 4 am

Sept 30 1880

To Evarts Secretary

Washington

Pe King 23/9 1880 two Commissioners appointed by China both influential members of Privy Council of State had introductory interview with Prince Kung to day we proceed at once to business

angell swift

41 Shanghai fee Treescat

Let a brief of this point of law & regulation on
Instructions to Attorney
transmitting Judgment
report. dated Nov. 22. 1880.
Mr. Cribbs.
Nov. 18. 1880.
for the Secretary's
C. P.
Wade

No. 19.

Legation of the United States.

Peking, September 24th, 1880.

DEPARTMENT OF STATE
NOV 15 1880
RECEIVED

James B. Angell to the Secretary of State.

Subject.

Delays en route for Peking.

Synopsis.

Mr. Angell states that he was unavoidably detained in his journey and inquires whether the salary can be allowed to him for the time consumed in excess of the sixty days allowed by the regulations.

No. 19.

Legation of the United States.

Peking, September 24th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I desire respectfully to submit to you the question whether, compatibly with law and the interests of the public service, the Department can recognize for me as absence on leave the ten days from July 30th to August 9th. The sixty days allotted to me for my journey to Peking expired July 30th. I arrived here August 9th.

I

I traveled with the utmost expedition which was compatible with the request of the Department to stop a few days in San Francisco and to make the voyage from Japan in a naval vessel. By a delay in the departure of the steamer from San Francisco I was detained there seven days. On my arrival at Yokohama the naval officers were engaged in an important court martial, and it was not convenient for a vessel to depart under ten days. But for these enforced detentions, I should have made the journey in the allotted time of

of sixty days.

I have the honor to be,

Sir.

Your obedient servant.

James B. Stagill

File. Ask Mr Aden

No. 20. One Enclosure.

Legation of the United States.

Peking, September 25th 1880.

DEPARTMENT OF STATE
NOV 15 1880
RECEIVED

James B. Angell to the Secretary of State.

Subject.

Furniture in Ministers house.

Synopsis.

Refers to Department instruction, number 25., gives a detailed report upon the quantity and condition of the furniture in the Ministers residence, and explains the necessity for further expenditure.

No. 20. One Enclosure.

Legation of the United States,
Peking, September 25th, 1880.

Honorable William M. Evarts,
Secretary of State.

Sir:-

I have received your despatch of August 9th, 1880. (No. 25.) You quote my inquiry made by telegraph whether you could authorize me to furnish the Legation at an expense of three thousand dollars, and give your reply, and ask for further particulars.

Before this reaches you, you will have received formal

(letters

letters from me written at Shanghai and at Tientsin, which will have explained my reason for telegraphing you. I did not then have in mind the needs of the Commissioners. But a letter from Mr. Holcombe received at Shanghai and a personal interview with him at Tientsin convinced me that the furniture in the Legation was so little that I must almost entirely furnish the house. Recalling your telegram to me that "the Government understood the house to be adequately furnished, if not so, presumably it would make provision," (I quote from memory the telegram being in Ann Arbor),

I

I ventured to send you the inquiry you have quoted.

On reaching Peking I found the impression I had received from Mr. Holcombe fully confirmed. Clearly furniture for the house must be purchased, if the house was to be occupied. After careful inquiry I concluded that I could buy most of Mr. Seward's furniture more cheaply than I could buy elsewhere, and also that I could buy it in my own name more cheaply than I could, if he supposed the Government was to pay for it. Therefore before receiving your telegraphic reply, I purchased of Mr. Seward a considerable portion of his

furniture

furniture with the intention of selling it again on my departure, if you could not authorize me to make any purchase, or if you could, then of turning over to the Government those more durable articles which the Government should own, if it owns any.

On the receipt of your telegram, authorizing the expenditure "if necessary for the accomodation of yourself (myself) and other Commissioners", I drew on you for $1721.00, and informed the Commissioners (then at Chefoo) that I would limit myself to $1,500.- if they found they needed $1,500.- on their arrival for furniture. I have delayed writing you on the subject

subject in full, because the Commissioners have not yet been able to decide what sum, if any, they shall need. I shall require in all, I think, about $2.000 for such durable articles as the Government, I think, should own. I have expended on my own account some hundreds of dollars besides for articles which, though necessary, I think the Government should not buy. I refer to those which are rapidly destroyed by use. I have ready for transmission vouchers for all the articles I desire the Government to purchase. But as I must procure some more from Shanghai, I have thought it preferable to delay

transmitting

transmitting any vouchers until I can send the whole, and until the Commissioners decide what sum they need to expend.

As to the furniture in the house I enclose a list marked [A] with brief remarks indicating its condition. I think you will agree with me that a Legation with no other outfit is unfurnished. There was not an article of dining-room furniture, not an article in the reception room, and one iron bedstead and a mattress furnished the only facilities for lodging. Not a single stove belonged to the Government, although we have severe winters here. The only room which could be occupied was

(the

the drawing room, and that was most meagerly provided for so large a room.

In respect to the amount expended by Mr. Seward, the archives show the following facts, May 29th, 1876. he drew for $285-44/100 for furniture as per vouchers. — Dec. 31st, 1877. (No. 376.) he made a change in his plan, being authorized by Secretary Fish (No. 128.) This change consisted in withdrawing to his own possession (and of course crediting to the Government) a number of the articles originally set off to the Government and assigning one thousand dollars to the Secretary for the purchase of furniture. — That left in Mr. Seward's house

(furniture

furniture of the estimated value of $1798.40 and in Mr. Holcombe's, furniture of the value of $1000. total $2798.40 the property of the United States Government.

The property thus purchased and placed in the Secretary's house was durable and is now there and in good condition. It consisted of tables, chairs, sideboards, chandeliers, carpets, and curtains.

The articles given in list marked A were nearly all in Mr. Seward's purchase. The more important articles given in his list of Dec. 31st, 1877. and now either missing or badly worn are the following with the appraisal of that date.

Dining room carpet - gone - $86.40

(Dressing

Dressing table and glass - glass worthless, $ 25.—

Wash stand " very rusty " 7.—

Walnut crib & mattress, mattress gone. " 20.50

1 Rug — badly worn " 4.25

6 small Rugs — worn out " 16.50

153 yds. drab carpet — badly worn half of it worthless " 153.00

Set of glass - broken up - nearly worthless " 141.25

Dinner set etc - broken up so as to be of greatly diminished value, worth " 195.—
say $10.— or $12.—

In addition to that other articles, especially the drawing room carpet, are depreciated in value by wear.

It is not easy for persons, who have not been here, to appreciate the difficulties of providing the means of comfortable living here or the expense of furniture. If one procures furniture at Shanghai, one must for the

(most

most part wait for it to be made. The prices are very high. The cost of transportation to Tientsin is often greater than from San Francisco to Shanghai. Then it must be brought up the Peiho in small boats, and from Tung Chow, fifteen miles here, in wheelbarrows over a terrible road. If therefore the prices named in vouchers seem great, these facts must be remembered. I am now furnishing the house in the most meagre way consistent with decency. The situation here is so exceptional that the Government may well be asked to provide the durable articles of furniture.

Trusting that this statement may furnish you the information

you

you desire.

I have the honor to be,

Sir,

Your obedient servant,

James B. Angell,

Enclosure.

1. List of furniture of United States Government found in Legation September 16th, 1880, and a statement of its condition.

A

Despatch No. 20.

Inclosure.

Inventory of furniture in the Minister's house at Peking, the property of the United States Government, on September 16th, 1880.

(In the office)

1 Office chair and cushion	good
1 Book case	good
2 Mahogany morocco covered chairs	fair

Drawing Room

1 Carpet - 70. yards	considerably worn - worn through in middle, but still in use.
1 Hearth rug	much worn
4 sets crimson satin curtains	good
5 gilt cornices for curtains	good
5 sets lace curtains	good
1 sofa - 4 easy chairs	good
2 easy chairs & 6 small chairs	good
1 Mahogany card table	good
1 Water color picture	

Sitting Room

1 Carpet	fair
1 Iron bedstead (good) and mattress	(poor)
2 Pillows	good
1 Camphor wood chest of drawers	good
2 Mahogany commodes	good
1 Dressing table and glass	very poor
1 Washstand	poor
1 Crib (mattress missing)	

(6

6 Rugs _____ used up

153 yds. drab carpet ____ badly used up
half of it barely available

Dining Room

1 Canton dinner set ____ badly broken up
1 set glassware _____ nearly gone

---

2 photographs – Yosemite views
1 Picture "Madonna"

1 green carpet formerly in office _____
used up.

Copy to Pennsylvania

Copy to Mr. Ringham
No. 18, 1880.
Mr. Cridler

The Secretary's information

made

No. 21.

Legation of the United States.
Peking, September 27th, 1880.

James B. Angell to
the Secretary of State.

Subject.

Efforts to gain access to Corea.

Synopsis.

States that the viceroy at Tientsin has offered certain assistance to Commodore Shufeldt. Refers to a recent visit of the Duke of Genoa to Corea, and its success. The Japanese inclined to oppose efforts on the part of other Powers.

No. 21.

Legation of the United States.

Peking, September 27th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have received from Commodore Shufeldt, who writes from Nagasaki, a letter stating that in an interview which he had with Li Hung Chang, Viceroy of this Province, the latter expressed a willingness to assist the Commodore in gaining access to Corea by sending a courier thither with some helpful message. The

Commodore

Commodore suggests that, in case any duties in connection with the attempt to open Corea are laid upon this Legation, the knowledge of this fact may be useful, and possibly the aid of the Viceroy may be secured.

The Commodore writes that he is expecting to sail for America about the first of October. I presume his despatches to our Government contain a fuller account of his interesting visit to the Viceroy.

Count de Luca, the Italian Minister, gives me some particulars of the recent visit of His Royal Highness, the

the Duke of Genoa, to Corea on the Italian man-of-war, the "Vettor Pisani", which are I think, of importance. The Duke went first to Fusan the port where the Japanese Consul is stationed. This Consul endeavored to dissuade him from landing, intimating that there would be danger of commotion and conflict. However the Duke remained awhile, but failed to get a letter delivered to the authorities. He subsequently went to another port where there is no Japanese Consul, and was very kindly received. The Magistrate of the place came off to the vessel, and

and remained some hours. The Italians were allowed to land, and shot birds and dig oysters, and the Duke obtained what he specially desired, some of the silk worms of the country to take away with him. The impression which he received, and which Count de Luca has, is that the Japanese Consul is endeavoring to throw obstacles in the way of all nations, except his own, who desire access to Corea, and consequently that it is better to approach Corea from some other point than Fusan.

Count de Luca has kindly promised me a copy of

of the official report of the visit of the Duke. But as I cannot procure it in time for this mail, I send you this statement as I have it from the Minister. I shall hope to be able to forward you the official report by the next steamer.

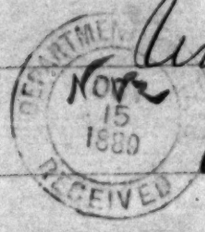
I have the honor to be,
Sir,
Your obedient servant.
James B. Stupell.

To be shown to the Secretary.

File

made

No. 4. Six Enclosures.



United States Commission

Peking, September 27th, 1880.

The Commissioners to the Secretary of State.

PRINTED. FOREIGN RELATIONS 1880

Subject.

Arrival at Peking.

Synopsis.

Reports departure from Chefoo, exchange of visits with Viceroy at Tientsin, arrival at Peking, the appointment of Commissioners by the Government of China, introductory call upon Prince Kung, action taken relative to the appointment

appointment of Mr. Holcombe
as Secretary and Interpreter,
with copies of all correspondence.

No. 4. Six Enclosures.

United States Commission

Peking, September 27th, 1880.

Honorable William M. Evarts

Secretary of State.

Sir:

In our despatch from Chefoo, of August 2nd, we informed you of our arrival there, and of the decision at which we had arrived that it was best for Mr. Angell to proceed to Peking and summon us to join him. From Mr. Angell's despatch from Peking, number 6. of August 18th, you will have learned what action he took here upon his arrival.

Mr. Angell returned to Chefoo upon

upon the 7th of September, and we all left that place for this capital on the 11th, upon the United States vessels "Monocacy" and "Ashuelot." It is our pleasant duty to acknowledge the constant and considerate courtesy of Commander Sumner and the officers of the "Monocacy" upon which vessel Mr. Swift and Mr. Lescot, with their families embarked. Mr. Angell in his despatch, number 6. has already expressed similar obligations to Commander Johnson and the officers of the "Ashuelot."

Upon our arrival at Tientsin, we felt it to be our duty to pay a visit to Li Hung Chang — the Viceroy of Chihli — in

in making which we were accompanied by Commander Sumner and such officers of the "Ironocacy" as he selected. Our reception was cordial and the visit was returned.

We reached here upon the 19th instant, and found waiting our arrival a communication from the Foreign Office, informing us of the appointment of two Commissioners by the Chinese Government, with full powers. Copies of this communication and our reply are enclosed. 1/4 2/4

The two Commissioners are

are men of high rank and large influence and are both members of the Privy Council of State. They are also Ministers in the Foreign Office. They are both advanced in years. His Excellency Pao Chun is a Manchu, distantly related to the Imperial Family. In addition to the offices mentioned above he is President of the Imperial College of Literature and Superintendent of the Board of Rites. He has had long experience in foreign matters and is understood to be conciliatory and progressive in his policy. His Excellency Li Hung Tsao is a Chinese. He was the Tutor of the late Emperor

Tung

Tung Lehih, and has the reputation of being one of the most profound scholars in the Empire. He has been a member of the Foreign Office for about five years and is credited with being an anti foreign, or reactionary, in his views.

Omit Deeming it to be our duty to acquaint the Department as speedily as possible with the fact of our arrival in Peking, and the appointment of Commissioners on the part of China, we sent a telegraphic message to you upon the 23rd instant, a copy of which is herewith enclosed. 3/4

Upon the 23rd we had our

our formal reception by Prince Kung and the Foreign Office, of which nothing need be said but that it was duly courteous.

In communicating to the Foreign Office our acknowledgement of the appointment of Commissioners, Mr. Holcombe was instructed to ask that an early date should be fixed for the exchange of our full powers and the opening of negotiations.

As there existed an absolute necessity for a Secretary and Interpreter, we asked Mr. Holcombe to perform these duties until we could hear from the Department in reply to a telegram sent from Tientsin,

a

a copy of which we enclose. 4/4.

We also hand to you, herewith, a copy of the letter 5/4
by which we invited Mr. Holcombe to assume these
duties. It will thoroughly
express to you the reasons
which governed us, and the
arrangement which we thought
it just to him to propose.

And we hand to you 6/4.
a copy of Mr. Holcombe's response.

We have the honor to be,
Sir,
Your obedient servants.

James B. Angell

John F. Swift

Wm Henry Trescot

Enclosures.

Enclosures.

1. Prince Kung to Mr. Angell
72/1880. September 18th 4, 1880.

2. The Commission to Prince Kung
74/1880. September 25th 4, 1880.

3. Telegram.
September 23rd 4, 1880.

4. Telegram.
September 15th 4, 1880.

5. The Commission to Mr. Holcombe
September 23rd 4, 1880.

6. Mr. Holcombe in response.
September 23rd 4, 1880.

Despatch No. 4.
Enclosure 1.

Copy

7/2/1880

Prince Kung, Chief Secretary of State for Foreign Affairs herewith makes a communication.

Upon the 23rd ultimo I had the honor to receive a dispatch from H. E. stating that the President of the United States had appointed H. E., the Honorable John F. Swift, and the Honorable William H. Trescot, Commissioners Plenipotentiary to China, and empowered them to confer with Commissioners appointed with full powers by the Emperor of China, and has also empowered them to negotiate and sign Treaties or Conventions to the end of effecting a settlement of questions of interest now pending between the two Governments. H. E. also

requested me to Memorialize the Throne with a view to the appointment of Commissioners upon the part of China.

I at once addressed the Throne upon this subject: and upon the 5th instant His Imperial Majesty issued His Mandate in the following terms: "Li Pao Chun and
" Li Hung Tzao be appointed
" Commissioners Plenipotentiary
" for conference upon matters
" of the Treaty and subjects
" of interest. Respect this."

It becomes my duty to forward a copy of this Decree as above for your consideration

H. E. James B. Angell
&c &c &c &c

Peking Sept 18th 1880

Dispatch No. 4.
Enclosure 2.

Copy

7/4/1880

The Commissioner Plenipotentiary
to Prince Kung
September 25th 1880

Y. I. H.

Upon our arrival at this Capital we had the honor to receive Y. I. H. communication addressed to Mr. Angell and in response to his letter of August 23rd, by which we are informed that His Imperial Majesty has been pleased to appoint Their Excellencies Pao Chun and Li Hung Tsao Commissioners Plenipotentiary on the part of China to treat with us upon certain matters of interest now pending between the two Governments.

The United States will not fail to appreciate the promptness and good —

disposition thus shown by the Government of His Imperial Majesty, and in acknowledging receipt of Y.D.H. Communication we beg leave to add the expression of our sincere desire that through our deliberations results may be reached at an early moment which will prove benificial alike to China and the United States.

We have &c

(Signed) James B. Angell
John T. Swift
W. H. Truesdale

(Copy)

Out

Despatch No. 4;
Enclosure 3.

Peking,
23/9. 1880

Evarts
Secretary. Washington

Two Commissioners appointed by China, both influential members of Privy Council of State. Had introductory interview with Prince Kung to day. We proceed at once to business

(Signed)

Angell
Swift
Tuscal

(Copy)

Dispatch No. 4.
Enclosure 4.

Tientsin. China
15/9. 1880

Evarts
Secretary. Washington

Secretary and Interpreter necessary. Holcombe acting. We recommend his permanent appointment

Angell
Swift
Trescot

(Copy)

Dispatch No. 4.
Enclosure 5.

U.S. Commission
to China
Peking
Sept. 23. 1880

Chester Holcombe Esq
Secretary of U.S. Legation
Dear Sir

You are aware that the gentlemen appointed by the Government. Secretary of this Commission has declined the appointment. that the negotiations with which we are charged are about to be opened. and that we will consequently need the services of both a Secretary and Interpreter. before we can learn what action has been taken by the State Department.

With the knowledge and consent of our Colleague Mr Angell signified in his character as Minister. we have determined to ask you to put your recognized ability at our disposal.

we are aware that we are making a large demand upon your patriotism and perhaps interfering with the discharge of your special duties.

We have already informed the Department of our necessity and suggested that it would be agreeable to us, to have you appointed Secretary.

We cannot anticipate the action of the Secretary of State or do more than earnestly recommend what we think fair and just for the additional labour and responsibility we thus propose to impose upon you.

We will advise the Department that we think liberal compensation should be allowed and in case that our mission is more speedily terminated than has been expected. We should name such an amount

as would not only fully compensate you but indicate the importance which we attach to your assistance. that amount we have agreed shall be Two Thousand dollars.

As far as additional clerical work may be found necessary we will place at your command the services of Mr Trescot who is attached to the Commission as Privati Secretary to his father.

Should you be willing to comply with our request upon these conditions. we will be obliged if you will so inform us at your earliest convenience

We have the honour to be very respectfully

(Signed) James B. Angell
John T. Swift
Wm Henry Trescot

Despatch No. 4.
Enclosure 6.

Mr. Holcombe to the Commissioners.

Peking, Sept 23rd, 1880.

Gentlemen:

I have had the honor to receive your letter of this date in which, under certain specified conditions, you request me to act as Secretary and Interpreter to the Commission Plenipotentiary of the United States to China.

I beg leave to say in reply that I accede to your request with pleasure, and will perform to the best of my ability the duties which may devolve upon me in the position mentioned.

I have &c

Chester Holcombe

No. 5.

DEPARTMENT OF STATE
NOV 15 1880
RECEIVED

United States Commission.

Peking, September 28th, 1880.

The Commissioners to the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Instructions numbers 2 and 3. have been received.

No. 5.

United States Commission.

Peking, September 28th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

We have had the honor to receive your instructions, number 2, of July 23d, and number — of August 9th marked "confidential"

To the last mentioned we have taken the liberty to prefix the number 3.

We have the honor to be, Sir, Your obedient servants.

James B. Angell.

John F. Swift

Wm Henry Trescot

File

Ack

Made

No. 22.

Legation of the United States.

Peking, September 28th, 1880.

DEPARTMENT OF STATE
NOV 15 1880
RECEIVED

James B. Angell to the Secretary of State.

Subject.

Loss of passport by Mr. Kwaegowan.

Synopsis.

In answer to Department instruction number 20. states that the subject was dropped.

No. 22.

Legation of the United States.

Peking, September 28th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Referring to the despatch, number 20. from the Department under date of July 22nd 1880., concerning the loss of a passport by Mr. Macgowan and the discussion which ensued with the Chinese Government, I beg leave to say that Mr. Seward's despatch, number 717, will have informed you that the discussion has practically ended in such a manner

manner that my predecessor did not think it necessary to pursue the matter further.

I have the honor to be,

Sir,

Your obedient servant.

James B. Argyll

No. 23. One Enclosure.

Legation of the United States.
Peking, September 29th, 1880.

James B. Angell to
the Secretary of State.

Subject.

Mr. Seward's despatch number 557.

Synopsis.

Refers to instruction number 19. and forwards a copy of this despatch.

29

No. 23. One Enclosure.

Legation of the United States.

Peking, September 29th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Referring to your instruction, number 19. I now have the honor to enclose a copy of Mr. Seward's despatch number 557. as requested.

I have the honor to be,

Sir, Your obedient servant.

James B. Angell.

Enclosure.

Mr. Seward to Mr. Evarts.

No. 557. January 12th, 1880.

Dispatch No. 23.

Enclosure.

No. 557.

Legation of the United States.

Peking, January 12th, 1880.

Honorable William M. Evarts,

Secretary of State.

UNITED. FOREIGN RELATIONS 1880

Sir:

The following Imperial Decree was published on the 2nd of this month.

"Chung Hou, Senior Member "of the Censorate, who, in obedience "to Our commands, went as Our "Minister abroad, having presumed, "without awaiting Our permission to "return to the Capital, Let him, in "the first instance, be handed over "to the Board of Civil Office to be "severely dealt with and be deprived "of office pending the decision of the "Board".

"Let the Convention which he "has made, together with the several "papers in regard to the matter sent "up by the Foreign office, be made

(the

"the subject of further consideration, and
"of a Memorial by a Council, composed
"of the Members of the Grand Secretariat,
"the Six Boards, the Nine Lower Courts,
"the Hanlin, and the Censorate. —
"Respect this!"

Chung How, the Minister so dealt with, went to Russia at the end of 1878, to open negotiations for the return to China of the province or district of Kuldja, and the "Convention" is the Treaty which he made with the Russian Government.

This Decree has attracted great attention here, as it will elsewhere. The Minister in question was a member of the Foreign Office when appointed to go abroad. He was the Superintendent of Trade at Tientsin fifteen years ago, and was present in that city as such officer, when the massacre of 1870. occurred. He was sent to France, thereafter, to express the regrets of this Government for the massacre. His mission was successfully performed, and upon his

return

return he became a Member of the Foreign Office. In 1876. he was sent to Manchuria to take the command of that extensive and important region and remained there until summoned to go to Russia. He is a Tartar, and esteemed a man of unusually large experience and of great discretion. He bears the reputation of being almost over cautious, even for a Chinese official.

We are bound of course to accept the declaration that Chung How left Russia without permission. He was on a special mission, however, and had made a treaty. He may have regarded his work as done. His intention to return was known here months ago, in good season, if I am not mistaken, to permit of his being instructed by telegraph, to remain at his post. He arrived in the Capital on the afternoon of the day when the Decree appeared.

The offense of a Minister who leaves his post without permission,

(may

may be regarded as serious, but it is unlikely that Chung How would have received anything beyond a reprimand, had his treaty been considered satisfactory. As it is, those who are familiar with Chinese political life, cannot lose sight of the fact that one Minister who was concerned in foreign negotiations, Ki Ying, the signer, on the Chinese side, of the Cushing Treaty, was condemned to death for a like offense. The Chinese have made much progress since then, and it is not at all probable that a like penalty will be visited upon Chung How, but the fact is significant of the view which the Government may take of his alleged offense. We cannot expect to see him again, for a considerable period, at any rate, in the Foreign office and this is much to be regretted, as he was one of the most experienced and ablest of its members, a man of mature, but not advanced, years, and one whose

career

career was expected, with much reason, to be an important one.

The evils which led up to the occupation of Kuldja by Russia, and the mission of Chung How, have extended over a considerable period, and are of much interest in various ways.

Eastern Turkistan, a district of so-called Central Asia, has been for centuries the theater of disturbances and war. As it reached to the frontier of China, and its unsettled condition affected the peace of the neighboring districts of the Empire, it was subjugated by the Emperor Kien Lung, something more than a hundred years ago.

If you will take a map of Asia, you will remark two districts lying North of Thibet. One of these, and the more extensive, is Kashgaria, extending from the Kuen Lun to the Tien shan mountains; the other is Kuldja, which lies to the North of the Tien Shan, and South of the

Altai

Altai Mountains, Lake Zaisang, and the river Irtish. The general region is known as Ili. Its Eastern boundaries touch Kansuh, and its Western Kokhand and Badashan.

The whole region thus described is arid and cold. No cultivation is possible over a very large proportion of the territory, but near the rivers and streams the soil is fertile. Kuldja, is by far the best part, and is necessary to any power which aspires to control in those regions, for the reason that it is capable of producing large crops of grain, and of yielding sustenance to the armies needed to keep in subjection the warlike races who dwell there. The population belongs to the several nations or clans, which were in possession when they were conquered by China, the Chinese having gone into the country as its rulers and as merchants, but not to any extent as colonists. There in the West are nearly all Mohammedans, and a large

Mohammedan

Mohammedan element extends Eastward into Kansuh and Shensi.

It was to be expected that the people of this region would not be careless observers of the decay of Chinese power, which became apparent more than fifty years ago, and of the threatened overthrow of the ruling dynasty in 1852.-64., and it was altogether likely that the Mā-hammedan element, in particular, would seize the first opportunity to assert control in the districts where they were most numerous. Their revolts in Kweichow and Yunnan, in the Southwest, and in Shensi, Khansu, and Ili, in the Northwest, came late in the history of the great disturbances, of which the Tai-ping Rebellion was the most serious, but they led to the independence, for the time being, of parts of Yunnan, much of Kansuh, and nearly all of Ili.

The insurgents in Ili were not to be allowed, however, the independence

(which

which they had conquered. Kashgaria soon fell under the domination of Yakoob Beg, otherwise known as Yakoob Khan, and Athalik Ghazi, the most prominent figure in Central Asiatic politics of recent times. Kuldja, on the other hand, was occupied by Russia.

The Russians could not be unmindful of the value of this district. It was adjacent to their own territory, and not distant from the scene of their military operations against Bokhara and Khiva. It was on the high road of trade between their territories in this region and those of China and their merchants were settled in it. It was a necessary base for operations against Kashgaria, if these were projected. It was an open country on their side, but, on the side of China, defended by mountain barriers.

The Russians accordingly occupied it, asserting, what was doubtless true, that its disordered

state

state was intolerable to them. They made haste, however, to declare to China that they would restore the territory to her whenever she should be in a position to re-occupy it.

The suppression of the central, or Taiping Rebellion, which began in 1852. in the province of Kiwangtung in the South, had controlled for more than ten years a large part of the lower valley of the Yangtze River, had taken, in fact, possession of the most fertile and populous portion of the Empire, occupied the ancient capital of Nanking, and threatened the northern Capital, occurred in 1862-4. The

(Imperial

Imperial arms were then carried into the southwest and northwest. Yunnan and Kweichow were first reduced to order, and then Kansuh, and in 1876-7. the re-conquest of Ili was undertaken.

It seemed to many that the Chinese had undertaken, in this last direction, more than they were likely to accomplish. Yakoob Khan was a ruler who had conquered his possessions by the sword, and had consolidated his conquest by an administration so able, that it had attracted attention throughout Asia. He had won his title of Ahbated Ghazi Defender of the Faith, by repeated evidences of devotion to his religion.

He

He was the central figure of Mohammedan politics, whose summons might be expected to rally Mohammedan influence throughout the whole Northwest.

The operations of China, however, went forward with a celerity begot of the experience of many years of bitter warfare, and a certainty that must have seemed ominous from the outset to the conqueror of Kashgaria. In less than two years the arms of China were victorious from the one end to the other of his dominions, the conqueror had perished and his children and grand-children were in flight.

Such was the situation at the beginning of 1879. The ancient

(territory

territory of the Empire, saving the encroachments of Russia of earlier years, and Kuldja, had been reconquered, and the victorious Chinese were on the borders of Kuldja, eager, to all appearances, to reassert by arms, the rule of the Empire as against that of Russia.

It was under these circumstances that the now degraded Minister, Chung How, was sent to St. Petersburg. His duty undoubtedly was to arrange for the reoccupation of Kuldja by China.

We cannot know here the details of his negotiation, but it has become certain that Chung-How did not find his task an easy one. The occupation of Kuldja

(had

had extended over so many years that the obligation of Russia to return it to the Chinese might well have seemed to have lapsed by the efflux of time. Russian conquests had been pushed forward meanwhile, and possession of Kuldja may have become a matter of more importance in consequence. It is believed that the Foreign Office was steadfast in the determination to fulfill the pledge, but that the military party opposed the retrocession with great energy.

It is probable too that certain difficulties in the way of retrocession had grown up in the years of Russian domination. Their merchants would have moved in and established themselves, and many refugees from

Kashgaria

Kashgaria under Yakoob, and other surrounding districts during the period of disturbance, and during the period of Chinese re-occupation, would have flowed in upon them. All of these may have had reason to dread the return of the Chinese rule, and appealed to Russia not to destroy their asylum.

In the main the more conciliatory councils appear to have prevailed.

It is not easy to define the policy of Russia towards China, but it is evident that it should be friendliness and respect. She has conterminous boundaries with China from Central Asia to the Pacific, she is consolidating conquests

Cover

over the petty states of the center. She has room for the gratification of her ambition in developing the Empire which she has already conquered, and which lies immediately before her. A struggle with China, under such circumstances, would be unnecessary and unwise.

I am inclined to think that these considerations are accepted as conclusive by the experienced statesmen of St Petersburgh, and that it was in part the general policy of the State, and in part disbelief that China would show vigor enough to reconquer Ili which led to the promise to return Kuldja.

To the military party, however, such retrocession would have seemed portentous.

portentous of disaster. It would be attributed in Central Asia to a fear of China, and would break down the prestige of their arms. It would give away territory very valuable for military purposes.

It is not singular that, under these circumstances, a middle course was adopted by Russia. I am not able to place before you the text of the treaty agreed upon by Chung-How, but it appears that Russia retains, under it, a considerable part of the territory of Kuldja, as much as three tenths according to native reports. It is significant that the territory retained lies along the Tien Shan range, commands the passes into Kashgaria, and embraces

(not

not a small part of the river land of the whole province. It may be that, regarded from the point of view of military men, Russia holds fast to the most valuable portion of the district. Of this, however, I am not well informed.

The treaty, it would appear, stipulates that China shall pay an indemnity of about two and a half millions of dollars to Russia, in part for the indemnification of — merchants, and in part for supplies furnished to China by the Russians, it may be for the expense of the — occupation. Certain trading privileges are accorded to Russian frontier merchants.

When word reached here that Chung How had made the treaty, it

it seemed to the members of the diplomatic services that he had gone very far in the direction of conciliation, not, perhaps, if regard should be had for the exigencies of the case, but certainly from the point of view of Chinese statesmen.

You will remember, as doubtless will the President, that when I was at Washington a year ago, and was discussing the question of Chinese emigration and the spirit which actuates Chinese statesmen in their conduct of foreign relations, I spoke with a certain earnestness to indicate that they are very sensitive in regard to national prestige, and very much indisposed individually to open themselves to any imputation of

of carelessnes or weakness in this regard.
I repeated the same proposition in
my despatch on that subject, № 457.
The language which I used was, in
part, as follows:— "Statesmen charged
"with the duty who should neglect to defend
"the national prestige would be —
"made the object of grave attack. The —
"Foreign Office in particular is as
"sensitive as foreign offices generally,
"and its members would not willingly
"encounter the charge that they have
"abandoned any of the interests —
"committed to them."

"And, moreover, the sooner
"we rise to the idea of dealing
"with this Government as actuated
"by very much the same motives
"of dignity, patriotism, and public

policy

"policy which actuate other Governments,
"the sooner we shall be able to place
"our relations upon an enduring basis
"of good will and common interests."

Applying the rule thus laid down to an examination of the spirit in which the members of this Government would have received the news of Chung How's stipulations with Russia, it becomes evident that they are full of danger for him.

He had given away, as it would appear to Chinese statesmen, a portion of the national domain, and he had done this during the minority of the Emperor.

It is almost incredible that a Chinese statesman, trained to regard individual responsibility

(as

as inseparable from every public act, should have gone so far without a positive authority from the Government. It is well known that Chung How was in constant communication with the Foreign Office by telegraph, and the inference is strong from this fact, and from the extreme caution which has marked his career, that he believed himself empowered to do what he did.

If such was more or less perfectly the case, it is not altogether surprising to those who know the ways of the Chinese that he should still be held to personal responsibility when opposition to his work has manifested itself.

I have said that the Chinese troops on the boundaries of Kuldja have seemed anxious to reoccupy that district

district. It would appear now that their commander, the Viceroy of Kansuh, Tso Chung Tang, one of the very ablest of Chinese statesmen, has not been pleased that his great successes in Ili should be detracted from by a failure to rectify completely the frontier, and that he has assailed Chung-How's treaty with vehemence, going so far as to prefer against him the charge of high treason.

We come now to conditions which no one among the foreign Representatives appears to understand. Is it really the Foreign Office which is on trial, or is it true that Chung How has exceeded his instructions? Is it a movement which has regard to the given question only

only, or is it a stroke of policy on the part of the conservative and reactionary party, based upon a doubtful act of the Yamen, which may be considered to represent the more progressive element in the state? Or, may it not be, after all, a sagacious movement on the part of the Yamen itself, so directed as to draw the whole Government into the discussion, and to demonstrate that Chung Hsu has really done as well as could have been expected.

Without attempting to wade into the depths of the political waters of this capital, I incline to the opinion that the result, however it may affect individuals, will be the rejection of the treaty. I do not

regard

regard this as certain, but it does appear probable.

If such shall prove to be the case, the further progress of the affair may take either one of two courses which will not, at least for the moment, threaten an attempt to solve the difficulty by force of arms. It may be that the Chinese will, in such case, send another Mission to Russia, or seek further recourse through the Russian Legation here, or through negotiations to be conducted by Tso Chung Tang on the frontier. Or it may be that they will content themselves by rejecting the treaty, and by protesting against the failure of Russia to discharge her promise to return the territory in question.

If

If I am right as to Russian policy, that Government will not long allow the question to disturb her relations with China. There is an obvious way out of the difficulty, that of demanding a larger indemnity, and of yielding up the rest of the territory in cosideration of the increased sum paid. The Chinese may not like the alternative, but they will not like the alternative of war, and they may either accept such a proposal, or content themselves by leaving the question open to be dealt with at some later moment when the situation may be more favorable for its solution.

It is said that the conclave of high officials created by the decree

decree which I quoted in beginning this note, is now in session, but it is not certain that this is the case, nor easy to predict when their work will be completed.

There has been no other such conclave since I have been resident here, but they are a part of the Chinese system of Government, although very infrequently called into existence.

I have the honor to be,

Sir,

Your obedient servant.

(signed) George F. Seward.

Rec'd
Gwin to Fishers
Dec 15 1880.
Mr. Aitken
Stock - give to press C. P.

No. 24.

DEPARTMENT OF STATE
DEC 4 1880
RECEIVED

Legation of the United States.
Peking, October 4th, 1880.

James B. Angell to
the Secretary of State.

Subject.

Death of the Spanish Minister.

Synopsis.

Señor de España fatally
injured by a fall from a
horse, died upon the 1st instant.
Speaks of his services to the
interests of Spain in the
East.

No. 24.

Legation of the United States.

Peking, October 4th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I regret to announce that His Excellency Don Carlos A. D'Espana, Envoy Extraordinary and Minister Plenipotentiary of Spain in China, died in Peking on the morning of the 1st instant.

His death was caused by a fall from his horse on the 26th ultimo which injured his spine and caused paralysis of almost his whole body. He was buried yesterday. The whole Diplomatic Body attended his

his funeral.

It is of interest to us to remember that his father was for a considerable period Spanish Consul at New Orleans. The deceased Minister had been engaged before coming here in diplomatic service in South America and in Europe. It was he who negotiated after much exertion the last treaty between Spain and China. He had received marked tokens of favor from his sovereign. His sudden death is much lamented here.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell

Act.

Made

No. 25. Two Enclosures.

Legation of the United States
Peking, October 6th, 1880.

DEPARTMENT OF STATE
DEC 4 1890
RECEIVED

PRINTED

James B. Angell to
the Secretary of State.

Subject.

General Pilotage Regulations.

Synopsis.

A question having arisen as to the revision of these rules Mr. Angell has issued a circular to our Consuls requesting an expression of their views.

No 25. Two Enclosures.

Legation of the United States.

Peking, October 6th, 1880.

Honorable William M. Evarts,

Secretary of State.

Sir:

I herewith enclose a circular letter, which I am issuing to our 1/25.
Consuls in China.

The General Pilotage Regulations, though drafted by Sir Rutherford Alcock, were submitted to the foreign Ministers at Peking and approved by them prior to their promulgation in November, 1868. Sir Thomas Wade therefore recognizes the propriety of submitting to foreign Ministers the slight changes

(suggested

suggested by the Chief Justice of Her Britannic Majesty's Supreme Court at Shanghai.

It has seemed to me not improbable that during the twelve years of trial of the Regulations some graver defects than those indicated by the Chief Justice, may have become apparent and that this may be a favorable opportunity to secure any needed improvement.

2/25 I enclose subsections 3. and 4. of the Regulations.

The Judge finds subsection 3, if I understand him, useless, because the laws of Great Britain prescribe no penalty for the offence named, and subsection 4. in conflict with the Order in Council which prescribes that

that only a part of the maximum fine named can be imposed,

I have the honor to be,

Sir,

Your obedient servant.

James R. Lyell

Enclosures.

1. Circular to Consuls.
2. Subsections 3. and 4. of the 7th of the General Pilotage Regulations - (Mayers' Treaties p. 220.)

Dispatch No. 25.

Circular. Inclosure 1.

Mr. Angell to U. S. Consuls in China.

Peking, October 6th, 1880.

Sir:—

In a case carried up by appeal from the British Consular Court at Swatow to the Supreme Court at Shanghai, the Chief Justice has rendered an opinion, (see North China Daily News of Aug. 10th) in which he finds subsection 3. of the seventh of the General Pilotage Regulations adopted in 1868., in conflict with British statutes and subsection 4. in conflict with British orders in Council. He has suggested to the British Minister that a revision of these subsections be made, and Sir Thomas Wade has submitted (the

the matter to the foreign Ministers here for consideration.

It has occurred to me that possibly the experience of twelve years has shown that some considerable modifications, perhaps a general revision, of the Regulations, may have become desirable.

I therefore desire you to inform me;

First, whether in your opinion subsections 3. and 4. of the General Pilotage Regulations need alteration?

Secondly, whether there should be more important modifications of the Regulations, or even a complete revision of them.

I am, Sir, etc, etc,

(signed) James B. Angell.

Despatch No. 25.
Enclosure 2.

General Pilotage Regulations.

Regulation VII.

Subsection 3.- Any one piloting without a Licence, or making use of another's Licence, shall be subject to prosecution before his own authorities, who will deal with the offender in accordance with the Laws of his country. Any Pilot lending his Licence to another will be proceeded against and dealt with in the same way in addition to forfeiting his Licence,

Subsection 4. Any Commanding Officer employing an unlicenced person to pilot his vessel will be liable to be fined in the sum of One Hundred Taels by the authorities

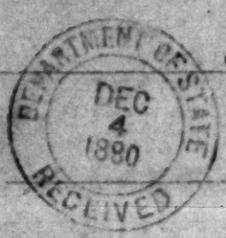
to

to whose jurisdiction he is amenable,

Ackes with approve. Dec 7, 1880. M. Cutler

Ack + approve, C.T. Mr Wood made

No. 26.



Legation of the United States.
Peking, October 6th, 1880.

James B. Angell to the Secretary of State.

Subject.

Monsieur Hillon as U. S. Consul at Tientsin.

Synopsis.

Refers to Mr. Hillon's services and states that he has felt bound to express the appreciation of the Legation for his zeal and ability.

No. 26.

Legation of the United States.

Peking, October 6th, 1880.

Honorable William M. Evarts,

Secretary of State.

Sir:—

I desire to express to the Department my appreciation of the services rendered to our citizens in China and to our Government by Monsieur Charles Dillon, Consul of France, by his faithful discharge of the duties of Consul for the United States at Tientsin during several months past. To say nothing of our commercial interests at that place, the numerous travellers who pass

(through

through Tientsin on their way to Peking, need much advice and assistance at that point in preparing for the journey hither by modes of travel unfamiliar to them. I am sure all of them will testify that they have made no draft on Mr. Dillon's courtesy and kindness, to which he has not most heartily and fully responded.

I have taken occasion to express to him the satisfaction which this Legation feels at the manner in which he has discharged his duties as our Acting Consul and have sent him a copy of this dispatch. So much seemed to me to be due to him.

I

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell.

File.

No. 27.

Legation of the United States.
Peking, October 8th, 1880.

DEPARTMENT OF STATE
DEC 4 1880
RECEIVED

James B. Angell
to
the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Department instructions numbers 26. 27. and 28. have been received.

No. 27.

Legation of the United States.

Peking, October 8th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have had the honor to receive your instructions numbered 26. 27. and 28.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell

Attached- Dec 9. 1880. Mr. Cridler.

Bureau of Accts C.P.

made Colbergan

No. 28. Two Enclosures.

Legation of the United States.

Peking, October 9th, 1880.

DEPARTMENT OF STATE DEC 4 1880 RECEIVED

James B. Angell to the Secretary of State.

Subject.

Expenses in "Forest Belle" investigation.

Synopsis.

Refers to Department instruction number 10., covers copy of a despatch received from Lieut. Fleming, and asks for more definite instructions.

No. 28. Two Enclosures.

Legation of the United States.

Peking, October 9th, 1880.

Honorable William M. Evarts,

Secretary of State.

Sir:—

In the despatch No. 10. of the Department to me my attention was called to the settlement of the account of Mr. O. N. Denny for expenses incurred in the "Forest Belle" investigation. The following language was used.

"You are authorized to adjust the account of Mr. Denny on the same basis as Mr. Seward was authorized to do. It is, of course, not expected that every dollar can

(be

be accounted for by a formal voucher, but the main items of expense are not of such a character as to make the procurement of vouchers of some kind therefor either unusual or impracticable. In the case of certain minor items, it may be that their nature or the conditions under which the disbursements were made, preclude production of vouchers, in which case Mr. Denny's personal certificate of the correctness of such item will be acceptable in lieu of a voucher therefor."

In an enclosure, (Mr. Payson's No 12. to Mr. Denny) I find the following.

"If, however, it shall be impossible, from the nature of the

(expenditure

expenditure or expenditures, to present vouchers in regular form, I have to instruct you that your certificate will be accepted in lieu thereof in the settlement of the account."

The instructions of the " Department contemplate the production of vouchers for the main items and the acceptance of Mr. Denny's certificate for the minor items. Mr. Payson's language, far less restricted, seems to contemplate accepting Mr. Denny's certificate for all items, for which he affirms the impossibility of procuring vouchers.

On September 6th, Mr. Denny mailed to me his account with vouchers for $. 306., the total bill being $. 1003. For the sum of

$697.

$697. there were no vouchers and no itemized statements.

If Mr. Payson's directions are to be followed, I might at once settle the account. But if I understand correctly the instructions in No 10. of the Department I do not feel clear that I should be justified in settling it. I therefore prefer to forward the despatch of Mr. Denny to me with his account and vouchers, to the Department for adjustment by the Department or for further instructions to me. It is certainly but simple justice to Mr. Denny that he receive without delay whatever in the opinion of the Department is his due for services faithfully performed.

9/28
2/28

I

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell

Enclosures.

1. Mr. Denny to Mr. Angell.
No. 21. September 6th, 1880.

2. Mr. Denny's Account for $1003. and
vouchers for $. 306.

Despatch No. 28.
Enclosure 1.

Mr. Denny / to Mr. Angell.
No. 21. September 6th, 1880.

Sir:-

On the 2nd day of August last, I received a despatch from the Hon. Charles Payson, 3rd Assistant Secretary of State, relating to the payment of the expenses incurred by me while enquiring into the facts and circumstances attending the loss of the American B. arque "Forest Belle" and inclosing a copy of a despatch addressed to you by the Hon. John Hay, Acting Secretary of State, relating to the same matter.

In this despatch it is suggested that I place myself in communication with you upon this subject and comply as nearly as possible with the requirements

requirements of the Department in respect of vouchers. It is not necessary for me to refer at this time to the cause of the delay in the settlement of this account, as the correspondence already on file in the Legation, will enable you to judge for yourself. It may be in order to say, that when your predecessor referred this matter to the Department with a request that he be authorized to pay me only such sums as I should be able to furnish him vouchers for - Knowing as he did at the time, that from the very nature of some of these expenditures and the time which had elapsed, that it would be impossible for me to procure them. I informed the Department that in the event (the

the claim was so referred, that then I should drop the matter as justice never would be done. Here perhaps it would have remained, had I not received the despatch referred to, which shows that the Department desires an early and equitable adjustment of the claim. Upon this basis I have endeavored to comply with the request of the Department as far as possible relative to vouchers.

I send vouchers in duplicate for all passage money so expended and have written to Amoy, Takow, Formosa, and Hongkong for vouchers for the largest items in the miscellaneous account, but without success, as the parties at Amoy and Takow have gone away, while the

(hotel

hotelman at HongKong does not answer considering the fact that almost one year and a half has elapsed since these expenditures were incurred. I trust the account as herewith rendered will be found sufficiently supported to enable you under your instructions to authorize its payment.

I am, Sir, etc,

(signed) O.N. Denny.

DEPARTMENT OF STATE
DEC 4 1880
RECEIVED

For the Secretary's information

No. 6. Two Enclosures.

United States Commission,
Peking, October 11th, 1880.

The Commissioners
to
the Secretary of State.

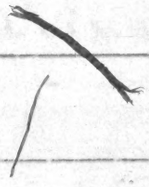
PRINTED
FOREIGN RELATIONS

Subject.

Labors of the Commission.

Synopsis.

Reports the exchange of full powers, the delivery of a memorandum to the Chinese Commissioners, and receipt of a reply from them. A conference to be held upon the 13th instant.



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No. 6. Two Enclosures.

United States Commission,
Peking, October 11th, 1880.

Honorable William M. Evarts,
Secretary of State,

Sir:

Recurring to our despatch number 4. of the 27th ultimo, in which we reported our arrival here, and the appointment by the Government of China of two Commissioners Plenipotentiary, we have now the honor to inform you that upon the 1st instant we met the two Commissioners at the Foreign Office by appointment and exchanged our

(full

full powers. Those presented for our inspection by Their Excellencies Sao and Li, were in the usual Chinese form, and consisted of the Imperial Decree appointing them, a translation of which is quoted in the despatch of Prince Kung which forms enclosure number 1. of our despatch referred to above.

There were present on this occasion three prominent Ministers of the Foreign Office in addition to the two Commissioners.

Having thus exchanged our full powers, we laid before the Commissioners a Memorandum, a copy of which is enclosed, in which we stated in general terms the purpose of the Government in

1/C.

(over

our appointment, the difficulties which confronted it in consequence of the excessive immigration of Chinese, and its desire to secure such modification of existing treaties as should leave it free to deal with the questions growing out of the immigration of Chinese as public interests might demand.

The Commissioners, and other Ministers present, having read this paper, remarked upon the friendliness of its tone, and stated that they were desirous of reaching a solution of the questions involved at an early moment. They added that they would consult with Prince Kung and send us a Memorandum in response at an early day. The

(interview

interview then ended.

Upon the 7th instant we received the response as promised, a copy of which is herewith enclosed. 2/6.

We at once sought a further interview with the Commissioners, and had purposed meeting them today, but, at their request, the interview has been deferred to the 13th instant.

We do not think it necessary, at the moment, to trouble you with the obvious reply to be made to this very inconsequential document. It will be forwarded at an early day. The Department may be assured that we shall not recognize the right of the Chinese Government to go behind the language of the

(Representatives

Representatives of the Government of the United States and assign motives and reasons for its Diplomatic action other than those defined by itself.

We have the honor to be,

Sir,

Your obedient servants.

James B. Angell.

John A. Sargent

Wm Henry Trescot

Enclosures.

1. Memo. for the Chinese Commissioners.
2. Chinese Commissioners minute in reply.

Dispatch No. 6.
Enclosure 1.

After the exchange of Full Powers which has just taken place, it becomes the duty of the Commissioners of the United States to lay before the Commissioners of China, with entire frankness the purpose of their mission.

Fortunately the relations of the two countries have been of unbroken and increasing friendship from the date of the first Treaty negotiated between them to the present moment. It is only natural that it should have been so. Without conflicting interest to disturb their relations, representing in their territorial extent and in their large populations, the power of the two great nations which occupy the shores of the Pacific Ocean. They are united by the consciousness that free intercourse between

them properly conducted can only be beneficial to both.

We have now had the experience of many years as to the effect of that intercourse and our object is in full and friendly consultation with the representatives of the Chinese Government to ascertain what modifications in its regulation may have become necessary, as the effect upon those interests has now come to be known to both Governments by the practical operation of existing treaties.

Under the Treaties which have from time to time been negotiated between the two countries, the Merchants of the United States have resorted to the Treaty Ports of China in the pursuit of their calling, while those of China have come to the United States where they have been made welcome to engage in trade in all sorts of

the country and have been uniformly protected in their rights.
and there Merchants have
exchanged the products of the two
countries, as we believe, to the
mutual advantage of both.
There has also been a constant
and useful international com-
munication, taking its rise in
motives of philanthropy or a
respectful curiosity as to the
habits, manners and institutions
of each other, which the students
of all nations have been at all
times permitted and encouraged
to cultivate.

But we wish to ask
the attention of the Chinese
Government to a species of
intercourse which has increased
to a large extent within the last
few years and which has subjected
the Government of the United
States to very grave embarrassments.
A class of Chinese subjects.

immigrating to the United States without the purpose of changing their allegiance and intending only a temporary residence, claims all the privileges and exemptions, provided by express treaty stipulation for "permanent residence." This same class, consisting entirely of labourers coming in great numbers with the avowed intention of early return and concerted arrangements for a new supply, with the almost absolute exclusion of all family and domestic relations in their association, and jealously preserving their peculiar nationality in dress, language, creed and habits claims that it is entitled to all the privileges of the subjects and citizens of the most favoured nation, Altho the immigration from no other nation at all resembles this in its purpose, its methods or its consequences.

All other immigrants come to the United States with the express purpose of changing their allegiance, with their wives and children, to be in the course of a generation completely incorporated into the country of their adoption.

Of late years this immigration has concentrated itself in cities and come into direct competition with native laborers, making their struggle for livelihood a hard one and disabling them, by their exclusion from accustomed work, to discharge those social and political duties which the Government of the United States expects from every one of its citizens. This competition engenders popular discontent and raises questions which if left unsettled, may disturb the friendly relations of the two countries.

The Commissioners of China will we are sure understand how grave a problem it would be for the solution of their own Government, if one hundred thousand foreign laborers were in a body introduced into the Capital or into any great city of the empire, to bring there new and strange manners and habits and to take the places of the same number of native Chinese whose ability to discharge their duties as subjects by contributing their taxes and fulfilling their other liabilities, was in great measure dependant upon their capacity to maintain themselves and their families by their daily work.

In addition to this it must be remembered that from the enormous population of China such a number of immigrants could be gathered under the stimulant of gain to

those who sent them as would exceed the native population of more than one of the United States, unless the Government of China and the United States recognize their common right to deal with this subject by such legislation as the best interests of both Countries requires.

The Commissioners of the United States would also call to the attention of the Chinese Government that for this extension of these privileges to all Chinese subjects throughout the whole territorial integrity of the United States the citizen of the United States is only entitled to the limited hospitality of a few open ports and in them only for the purpose of trade, travel or residence.

But the Government of the United States does not wish to conduct this discussion in any

controversial spirit. It has no desire or intention to do injustice to the character of the Chinese labourer. But it does feel justified in asking that it shall be allowed to judge for itself to what extent the immigration of Chinese labour is useful and advantageous and that whenever at particular times or particular places it feels that its social or industrial interests require a limitation or prohibition of of such immigration, it shall have the authority with due communication to the representatives of the Chinese Government to regulate it as is most consonant with those interests.

So far as those are concerned who under Treaty guarantee, have come to the United States, the Government recognize but one duty and that is to maintain them in

the exercise of their Treaty privileges against any opposition whether it takes the shape of popular violence or of legislative enactment. And that the Government of the United States has fully discharged this duty is apparent from the fact which we may assume is within the knowledge of the Chinese Government, that the Courts of the United States have on every occasion where the issue has been raised, sustained the privilege of the Treaty, against the limitation of the State law. The disturbances which have sometimes occurred from occasional excitement of popular feeling, are too small and too rare to furnish subject of discussion now.

The Government of the United States feels that in bringing this subject to your

attention, it is deferring to the opinion of the Chinese Government; which if we are rightly informed, has never encouraged the immigration of its people, which does not wish that immigration from China, should be assimilated to immigration from other countries and which prefers that such immigration should be under its own control.

The Commissioners of the United States feel that they are warranted in thus interpreting the wishes of the Chinese Government from the fact that in a recent Treaty with Spain the Chinese Government granted to the local authorities of the Island of Cuba, the right to exercise a discretion of the same character which the Government of the United States desires should be recognized as its right.

As the

most earnest desire and purpose of the Government of the United States are not only to adhere with scrupulous fidelity to their Treaty obligations but to construe all such obligations in that spirit of friendly liberality which has marked its relations with the Chinese Government. We have been instructed to meet you in amicable consultation to review such Treaty provisions as bear upon the subject and to seek with you a solution of the difficulties which will be alike honorable and satisfactory to both Countries. Any suggestion of the Chinese Government as to the form in which such modification of existing Treaties can be made most agreeable to it will receive from us the most respectful and attentive consideration.

Despatch No. 6.
Enclosure 2.

Their Excellencies Pao and Li
To the Commissioners

Upon the 1st instant H. E.
left with us at the Foreign
Office a memorandum upon
certain treaty modifications.
We have carefully considered
it, and beg to submit a note
in response. We shall be glad
to hear how it strikes H. E.

Peking, October 4th 1880

A few days since the full powers of the Commissioners Plenipotentiary on either side were mutually inspected. We presume H. B. have had a translation of our full powers made and have sufficiently examined them. We have submitted yours to the Prince and now beg to return them herewith. Will you be so good as to receive them and to return ours to this Office at your convenience.

Memorandum.

Upon the 1st instant Your Excellencies came to the Foreign Office, and personally handed to me a memorandum upon certain treaty modifications. We have given this paper our careful consideration. The objective point of its several sections is a discussion in a friendly spirit which shall result in mutual benefit, and shall be free from harm to either party.

China and the United States have been on friendly terms from the first. But from the ratification of the Burlingame Treaty a decided strengthening in our relations of amity has been seen.

The people of either country have passed to and from the other, and have never failed to receive all the benefits privileges and

and immunities guaranteed to them by the treaties. To refer for example to the Chinese laborers in California. Their number certainly is not small. Being from a race of dwellers upon the sea coast they have desired to go thither, and have regarded California as a land of abundance and as furnishing great opportunities. They have also rejoiced in the freedom of the United States. Hence they have not gone there as the result of deceit or by being kidnapped, nor under contract as coolies, but have flown thither as the wild geese fly.

In the many years of Chinese emigration to California, a hundred lines of enterprise have arisen and commercial activity has developed to an immense extent. The Chinese have given

a

a large amount of their labor to your people, and the benefits of that labor to your country have certainly not been few. But now because the Chinese do good work for small remuneration the rabble are making complaint. Since the amount paid to the laborer is small, the employer is able to save more, and hence the benefit still inures to the citizen of the United States. This would seem to be fair reasoning the world over.

Last year the Congress of the United States passed an act restricting the immigration of Chinese which the President of the United States vetoed. This year there has also been discriminating legislation against them which the Courts have declared unconstitutional and hence invalid. Some time since Mr. Seward handed to us the report

report of Senator Morton upon Chinese immigration in which he held that it would certainly be wrong to restrict the coming of the Chinese. He quoted the Constitution of the United States adopted at the establishment of the Government which declares "Our territory is broad, and our people few in number, People of all nations shall be permitted to come to our land, without let or hindrance". He also quoted the Burlingame Treaty which declares that the people of either country shall be permitted to go freely to the other, either with the purpose of residing permanently there and of becoming citizens or subjects, or temporarily; that they shall go voluntarily and shall not be hindered. These statements, both official and personal, are all to the point.

If now because of temporary competition between the Irish and stranger guests a decision is lightly taken to change the policy of the Government, contradiction with the Constitution of the United States and existing treaties cannot be avoided.

Since the establishment of treaty relations between the two countries, citizens of the United States in China have not been relegated to the jurisdiction of the Chinese authorities. China has accorded this privilege to the United States. Chinese subjects have been permitted to go and come at their pleasure. The United States has granted this concession to China. At the ratification of this Treaty, the people of both sides of the Pacific Ocean leaped, shouted, and clapped their

their hands with joy and pleasure, kindly relations were firmly established, dissensions were obliterated, the people could come and go as they chose, and the Governments only heeded the wishes of the people. All this was eminently just and honorable in the highest degree to the Government of the United States. This being so, when other Powers were exceedingly urgent in their need of Chinese labor, and desired this Government to allow its subjects to go of their own free will, this Government, because those other Powers treated the Chinese laborer harshly and not with the kindness shown them by the United States, could not do otherwise than take this difference into consideration. Hence the facts which resulted in the stipulation referred to in the

Cuban

Cuban Convention are unlike the circumstances in the United States, and your Government should not look upon that stipulation as a satisfactory rule of action. In a word, there are Chinese who go to the United States as merchants and traders and there are also Chinese who go there as laborers. Formerly, when there was a demand for these laborers, the only fear was that they would not go thither. And now because of the influence of violent men there exists a desire that they stay away.

In consideration of the permanent friendship between the two countries, it is believed that the United States by no means entertains this idea.

But as the numbers of Chinese laborers in California is daily increasing, there cannot but be abuses.

This

This is manifestly true. Hence last year the Foreign Office consented to enter upon negotiations with Mr. Seward to prohibit the four classes of coolie laborers, criminals, prostitutes, and deceased persons from going thither.

Since now, Your Excellencies desire to discuss this business further with us, we are ready to discuss further the proposition of Mr. Seward with the hope that an equitable solution may be reached, and that the purpose of avoiding difficulties and securing beneficial results may not be lost sight of on either side, provided always that such negotiations shall not be contrary to the stipulations of the Burlingame Treaty. We are by no means unalterably fixed in our views.

For the Secretary's information

made

No. 7.

DEPARTMENT OF STATE
DEC 4 1880
RECEIVED

United States Commission.
Peking, October 11th, 1880.

The Commissioners to
the Secretary of State.

Subject

Mr. Seward's course in regard to the Commission.

Synopsis.

Informs the Department of certain action reported to have been taken by Mr. Seward calculated to prejudice the minds of the Chinese against the Commission and to embarrass it.

Confidential

No. 7.

United States Commission.

Peking, October 11th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

In connection with our despatch number 6., containing an account of our interview with the Chinese Commissioners, and enclosing copies of our communication and their reply, we feel it our duty to make the following statement.

Upon our arrival at Tientsin on our way here, General Fleming called on us and

and said that he felt bound "
officially to inform us that, "
having called upon the viceroy "
Li Hung chang, immediately after
Mr. Seward's interview with that
influential statesman, he had
found him very much excited
upon the coming of the Commissioners,
declaring that the Burlingame "
Treaty was good enough for him
and referring with much bitterness
of language to the treatment
which the Chinese had received
in San Francisco, and Mr. Henry
added that this was the result
of this interview which Mr. "
Seward had asked and obtained
from the viceroy just before his "
departure from and our arrival
at

at Tientsin. Soon after this communication Mr. Pethick called upon us to express his regret that he had been unable to accept the Secretaryship of the " Commission and his desire to render us any service in his power.

One of the Commissioners informed Mr. Pethick that we had heard that Mr. Seward, in taking leave of the Viceroy, had used the opportunity to express his opinion that the probable " demands of the Commission would be offensive to the " dignity of the Chinese " Government, that the " Burlingame Treaty was sufficient for

for the regulation of national intercourse and ought to be maintained, that he himself would have been retained at his post had he been willing to submit to the Government of China the propositions of which he supposed us to be the bearers, that he then recalled to the attention of the Viceroy the violence to which his people had been subjected by mobs in San Francisco, adding that the Burlingame Treaty was acceptable to the best people of the United States, and the opposition to it was only on the part of an Irish rabble.

The Commissioner desired

to

to know from Mr. Pethick whether such a report could be true, to which, after some reflection, Mr Pethick answered that Mr. Seward had said much in the interview that had better have been left unsaid. —

Another of the Commissioners asked Mr. Pethick whether, considering the confidence which the Government of the United States had shown him by its offer of the Secretaryship, he would not at least feel authorized to say to us whether the interview between Mr Seward and the Viceroy had seriously prejudiced the interests which we were here to represent.

Mr.

Mr. Pethick replied that Mr.
Seward had seen him "
immediately upon the termination
of his interview with the Viceroy,
and told him of what had "
passed between them, and that,
while he did not feel at "
liberty to repeat Mr. Seward's "
conversation, he did feel that,
under the circumstances, he "
was warranted in saying to
us that it was rash and
reckless, and that it had
very seriously prejudiced the
mind of the Viceroy upon the
questions which he had come
to discuss.

The same "
information reached us from
other

other quarters, and it was further intimated to us, though not so definitely, that the same influence had been brought to bear upon the Yamen and the same effect produced.

We, perhaps, would not have felt called upon to take formal notice of these facts but for the character of the communication which we have received in reply to our own from the Chinese Commissioners. We wish you to read it in connection with this statement.

We do not deem it necessary to attempt any appreciation of the facts, nor

to

to suggest to the Department the conclusions which may naturally be drawn from them. But we trust that you will recognize that we have simply discharged our plain duty in laying them before you.

It is only just to Mr. Holcombe to say that he was not present at the interviews between Mr. Seward and the Chinese to which we have referred above.

We have the honor to be,

Sir.

Your obedient servants.

James B. Angell.

John F. Swift

Wm Henry Trescot

Ack

Wade

No. 29.

DEPARTMENT OF STATE
DEC 4 1880
RECEIVED

Legation of the United States.
Peking, October 11th, 1880.

James B. Angell to
the Secretary of State.

Subject.

Receipt of telegram.

Synopsis.

Received a telegram upon the 2nd instant which is presumed to be in response to the telegram sent by the Commission upon the 17th September.

No. 29.

Legation of the United States.

Peking, October 11th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I have the honor to inform you that upon the 2nd instant I received your telegram, without date, which reads as follows:—

" Angell, Minister, Shanghai.

" Continue for present. I

" wait despatches before

" deciding permanent appointments.

" Evarts. "

I infer that this despatch

is

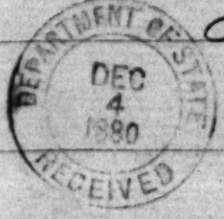
is in response to one sent
to you by the Commission
upon the 15th September.

I have the honor to be,
Sir.
Your obedient servant.
James R. Lyell

Ack

made

No. 30.



Legation of the United States.
Peking October 11th U, 1880.

James B. Angell to
the Secretary of State.

Subject.

Russia and China.

Synopsis.

Situation here unchanged.
Both powers awaiting the
results of negotiations at St
Petersburg. Russia likely to
make a demonstration on
Corea.

No. 30.

Legation of the United States.

Peking, October 11th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

The Department may expect news by each mail from here respecting the prospects of war between China and Russia. But really there is very little to communicate. All awaits the results of the negotiations of the Marquis Tsēng at St. Petersburgh. The Chinese have been concentrating a considerable number of troops at the point where the Great

Wall

Wall touches the Gulf of Pechele, doubtless to guard the Northern frontier in case of need.

The impression is strengthening here that even if Russia does not become involved in war with China, she will hardly disperse the large fleet which she has in these waters, commanded by three Admirals, without making some demonstration in Corea, either to open the country, or gain possession of Port Lazareff.

It is generally believed that Russia will in the end gain some important addition to her territory in Asia.

I have the honor to be, Sir,

Your obedient servant.

James B. Angell

One Enclosure.

DEPARTMENT OF STATE
DEC 22 1880
RECEIVED

Legation of the United States.

Peking, October 22nd, 1880.

Chester Holcombe to
the Secretary of State

Subject.

Salary account.

Synopsis.

Covers statement of this account for the quarter ended October 1st, 1880.

WM

One Enclosure.

Legation of the United States.

Peking, October 22nd, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have the honor to transmit herewith, a statement of my account for salary for the quarter ended September 30th, 1880. A duplicate will follow in due course.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosure.

Enclosure.

1. Statement of salary account for the quarter ended Sept 30th, 1880.

Bureau of Accts
C. F.

made

No. 31. Two Enclosures.

Legation of the United States.
Peking, October 22nd, 1880

RECEIVED
DEC
22
1880

James B. Angell to
the Secretary of State.

Subject.

Salary and transit accounts.

Synopsis.

Sends statements of these accounts with vouchers.

No. 31. Two Enclosures.

Legation of the United States.

Peking, October 22nd, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have the honor to hand to you, herewith, a 1/31.
statement of my transit
allowance account; and a
statement of my account 2/31.
for salary for the fraction
of the quarter from August
9th, the date of my arrival in
this city, to September 30th
inclusive. Duplicates of these
statements will be sent to
you

you by the following mail.

As the outturn of my drafts here is necessarily in Mexican dollars, I shall be glad to be informed at what rate the proceeds are to be reduced to the basis of gold coin. I am informed that officers in our naval service receive $110. Mexican for each $100. gold due them.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell

Enclosures.

Enclosures.

1. Transit allowance account
2. Salary account for fraction of quarter—Aug. 9th to Sept. 30th 1880.

No. 32. One Enclosure.

JAN 5 1881 RECEIVED

Legation of the United States.

Peking, October 22nd, 1880.

James B. Angell to

the Secretary of State.

Subject.

Legation rent account.

Synopsis.

Forwards a statement of this account for the quarter ended September 30th, 1880.

WM

No. 32, One Enclosure.

Legation of the United States.

Peking, October 22nd, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I have the honor to submit, herewith, a statement of the rent account of this Legation for the quarter ended September 30th, 1880. 1/32.

A duplicate will be sent forward in due course.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell.

Enclosure.

Enclosure.

1. Statement of Legation rent account for quarter ended September 30th, 1880.

Acked as directed January 3, 1881 Wm Evarts

Ask + thank as interesting

Not to be published

Confidential.

No. 33.

made

Legation of the United States.
Peking, October 22nd, 1880.

James B. Angell to
the Secretary of State.

Subject.

visit of the Duke of Genoa to Korea.

Synopsis.

Gives some account of this visit and the friendly spirit in which the Italians were received.

Confidential

No. 33.

Legation of the United States.

Peking, October 22nd, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

In my No. 21. I expressed the hope that I should soon be able to send you a copy of the official report of the visit of His Royal Highness, the Duke of Genoa to Corea. The report was written by Mr. Wm Donald Spence, of the British Consular service, who accompanied the Duke as Interpreter, and is therefore formally made to the

(British

British Minister at Peking. A copy was furnished to Signor de Luca, the Italian Minister. This copy, by the courtesy of Signor de Luca and of Sir Thomas Wade I have been allowed to use with some restrictions. They desire that this communication shall for the present at least not be made public, but be treated as confidential. The Report covers ninety folio pages of manuscript, I should be glad to send the whole, but our clerical force is insufficient to accomplish this in the period during which I feel at liberty to have the manuscript copy.

But I think I can give an accurate idea of it in the full

(résumé

résumé, which I now present, with quotations of several pages. I believe that the information the report contains concerning Corea and the Coreans is of more value than anything I have seen published.

The Duke visited Corea partly from curiosity and partly to make an attempt to enter into friendly relations with such of the authorities on the coast as he might meet with. An Italian ship had some time ago been wrecked on Quelpart Island, and the only surviving sailor had been kindly treated. The Duke made this the occasion of seeking to open correspondence with the

authorities

authorities in order to express the thanks of his Government for the kindness shown to the sailor.

The Report states that the books of Oppert and Ross were found to be worthless. Far more valuable proved the Histoire de l'Eglise dans la Corée, and vol. IV of Siebold's Japan.

The first visit was to the harbor of Fusan, or Chosan, which is thus described.

"Its surroundings are fully
"and accurately described on page
"68. of Vol. IV. of the China Sea
"Directory of 1873. It affords a
"magnificent anchorage for many
"more ships than are likely to

(frequent

" frequent the port, and it is open
" all the winter. I have little
" to add to the description given
" on the publication mentioned.
" All the sides of the harbour,
" except the South, are studded
" with villages, containing a
" resident population of ten or twelve
" thousand inhabitants, engaged
" in fishing. At certain times
" of the year there is an enormous
" influx to these fishing towns of
" people from the interior to catch
" and cure the ribbon fish which
" visit the harbour in shoals.
" The Southern shore of the harbour
" is formed by Deer Island, a
" densely wooded peak some 1,500 ft.
" high. It is a Government reservation,

(where

" where the Government stud of
" diminutive ponies is turned out
" to graze. At the time of our
" visit there were several hundreds
" of these 'horses' roaming about
" the lower slopes of Deer Island,
" and with the exception of their
" keepers, it is uninhabited. It
" abounds with hogdeer, pheasants,
" wild pig, and even tigers as I
" myself can testify.
" The country round the harbor
" is all within the jurisdiction of
" the prefect (府使) of Tung-Tsai-
" -foo (東萊府) or, as it is called by
" the Coreans and Japanese,
" Toraifoo. The walled city of
" Torai is situated a few miles
" inland, and is the seat of the

(local

"local Government. It is with
"this official, dignified by the
"name of Governor, that Commodore
"Schufeldt, on behalf of the United
"States, and Captain Fournier, on
"behalf of the French Minister
"at Peking, tried to enter into
"official relations. Both these
"officers availed themselves of the
"services of the Japanese Consul
"at Fusan, to carry their letters
"to the Prefect, but, in both cases,
"the prefect not only refused to
"receive or open them, but did so
"in a rude and offensive manner."

The Japanese Consul stationed here warned the Duke not to land except on Deer Island, lest his party should be attacked,

(and

and offered to forward a letter to the local authority at Torai, but gave it as his opinion that the local authority would decline to receive it. The letter was placed in his hands. Two days later the Consul sent a reply, saying that he had forwarded the letter and that the Prefect had declined to receive it because Corean law did not empower him to do so. Mr. Spence was convinced before he left Fusan that the Prefect was there visiting the Japanese Consul on one of the two days intervening between the despatch of the letter to the Consul and the receipt of the reply. He saw the Prefect

(in

in Fusan and was told both by Coreans and Japanese of his presence at the Consul's. He naturally infers that the answers of the Prefect were written by him and the Consul together, and that the Japanese officials are pursuing the policy of throwing obstacles in the way of Europeans, who desire to gain access to the Coreans. It is clear that such access had best be sought at ports not occupied by the Japanese.

"The settlement of Fusan "has been inhabited by Japanese "ever since the treaty of 1615. between "Japan and Corea, with which "Fidejoshi concluded his victorious

(campaigns

" campaigns. It was garrisoned by
" the Japanese princes of Tsushima
" for two centuries with three or
" four hundred soldiers, but, for
" what purpose, it is hard to say.
" The garrison was kept under the
" most severe restrictions by the
" Corean Government, similar to
" those imposed by the Japanese
" themselves on the Dutch at Decima.
" From the sea the settlement
" has the appearance of an ordinary
" Japanese town, the houses being of
" wood, and of the usual Japanese
" type. It is pleasantly situated in
" a magnificent grove of fir-trees
" of fabulous age and enormous size.
" Immediately on the port being
" opened the Japanese population

(over

" rose to 700. and it has gone on
" increasing until there are, today,
" over 2,300. residents.
" Every inducement is held
" out by the Japanese authorities
" to encourage settlers to come to
" Corea. The land on which the
" settlement is built is leased by
" the Corean Government to the
" Japanese for a nominal rent of
" $50.00 per annum. On application
" by any Japanese wishing to settle
" in Fusan, a lot of land is assigned
" and made over to him by the
" Consul, free of all charge and
" expense whatever, whether of initial
" price, or annual rent. On this
" lot he is at liberty to build, and
" he may sell or mortgage his
(land

"land to any other Japanese
"subject, provided the consent of
"the Consul is obtained. The
"Municipal Government of the
"settlement is entirely in the
"hands of the Consul, but in
"matters where he desires to have
"the opinion and support of the
"public he takes no steps until
"he has consulted the leading
"merchants. The police, draining,
"and lighting are all attended
"to after the manner of European
"settlements in Japan; there is a
"Chamber of Commerce, a public
"hospital with duly qualified
"surgeons, and, I believe, a large
"Japanese Buddhistic temple,

Iwan is, as yet, a free port.

There

" There is neither an import nor an
" export tariff. The Corean authorities
" have stationed a small custom house
" at the jetty where goods are landed,
" but its functions are confined to
" preventing the importation of articles
" which are, in Corea, a government
" monopoly, or articles whose
" importation has been forbidden
" by treaty. A tariff is at the present
" time in process of negotiation, and
" as soon as the amount of duty
" is agreed upon, it will be put
" in force.

" In the year 1879, the imports
" were of the value of 560,000. yen.
" They consisted of English cotton
" goods, Japanese copper, foreign dyes,
" and Japanese silk goods and notions.

(A

" I visited nearly all the shops in
" the settlement, and carefully
" examined the cotton goods which
" were exposed for sale. I was surprised
" to find that they consisted entirely
" of ordinary English grey and white
" shirtings of 7. lbs. to 8. lbs. pr. piece.
" It is notorious in China that Corea
" is one of the principal markets
" for American sheetings, and for
" the heavy and more expensive
" cotton cloths imported into
" Shanghai. In the settlement of
" I mean however I could not find
" a single piece of heavy cotton cloth
" either English or American. All
" the goods were light weight, had
" come from Shanghai, and bore the
" names and marks of BIRLEY, BRAND,

" REISS, HOLLIDAY, THORNE, and other well-
" -known importing houses. The present
" consumption of piece-goods is from
" 5000. to 7000. pieces a month, and
" is increasing. The exports in 1879.
" amounted to 670.000. yen. They
" consist of Rice, Furs, Gold dust,
" dried fish, seaweed, and medicines.
" There is no restriction at present to
" the export of grain,
" The volume of the trade
" of the port is increasing, and
" for the half year ended June
" 30th last it amounted to 760.000.
" yen. It is very surprising that so
" small a trade can support 2,300.
" residents. In other ways however
" than legitimate commerce the
" Japanese try to make money in

(Jusan,

" I wean, for I saw more than one a
" large tea house where Japanese
" girls were entertaining crowds of
" Coreans with tea, music, singing,
" etc.

" The currency of the port is
" Corean cash, which are more valuable
" and better made than Chinese,
" It is however only suitable for
" small transactions, and in order
" to make the smallest purchases
" a Corean visitor has to have
" two or three servants to carry
" the few strings of cash he
" means to spend. The few
" transactions of any magnitude
" which take place are done by
" means of barter, so many pieces
" of cloth for so many bags of

rice.

" rice. A short time ago the Corean
" Government interdicted the export
" of rice, and the consequence was
" that the Japanese merchants lost
" heavily through the inability of
" their Corean customers to complete
" their contracts, and the whole
" trade of the port was deranged
" till the prohibition was removed.
" The settlement swarms with
" Coreans during the day, who come
" in from the towns and villages
" in the neighborhood. They
" are ordered by law to leave every
" night, but many of them do not
" do so, and some are engaged
" by and live permanently with
" the Japanese as their domestic
" servants. Every Corean merchant

(intent

" intent on buying is accompanied
" apparently by half a dozen friends
" who advise him regarding the
" transaction he is about to make,
" and by his servants who carry a
" load of the international currency.
" The transactions, as a rule, are
" trifling in amount, and preceded
" by an interminable conversation
" which, in many cases, leads to
" nothing. Accusations of cheating are
" freely bandied about on both sides,
" and it is only after much strong
" language, and vigorous measurement
" that a piece of cloth is sold.
"
" There is communication by
" steamer twice a month with Japan.
" The trade, besides, gives employment
" to about a dozen Japanese schooners

of

" of foreign type, which ply between
" Fusan, Simonoseki, Nagasaki, and
" Osaka.

" The Japanese Consul is in
" official communication with the
" Prefect of Foraifoo, with whom he
" corresponds on a footing of equality.

" The Japanese in Corea live
" under their own laws, administered
" by their Consuls, Attached to
" the Consulate at Fusan is a
" Court, a Gaol, a staff of police,
" and the usual official machinery
" for the arest, trial, and punishment
" of offenders. In deciding mixed
" cases, as between Coreans and Japanese,
" in theory a most wise course is
" pursued. When a Corean brings
" a case against a Japanese, the

(Consul

" the Consul tries the case by Japanese
" law; and pari ratione, when a
" Japanese brings a case against a
" Corean, the Prefect of Jinsai trys
" the case by Corean law, It has
" taken us many years of experience
" in China to find out that the
" only practical and logical solution
" of mixed cases is for the forum
" and the lex fori to be that of
" the defendant; but Japan and
" Corea have blundered upon it
" at the very outset of their treaty
" intercourse.

" In practice however any
" supposed offense by a Corean
" in the settlement is summarily
" dealt with by the first policeman
" who catches him, or by any

Japanese

" Japanese who care to assume the
" task of beating the offender. I
" regret to say that the Japanese
" treat the Coreans who come to
" the settlement merely as visitors,
" out of curiosity, very badly. They
" buffet and kick them, as they
" would beasts, and it seemed
" marvellous to me how these strong,
" stalwart men put up with the
" vile treatment they receive from
" the Japanese pigmies. I have no
" doubt that it is for this reason
" that stones are thrown by the
" Coreans at foreigners when they
" try to approach any of the villages
" which fringe the shore of the
" harbour of Fusan, and that
" the timidity and submissiveness

(which

"which we found elsewhere in Corea
"were said to be wanting here".

Finding it impracticable to accomplish his purpose at Fusan, the Duke departed and sailed along the Eastern coast of Corea to Yung Hing Bay. The general aspect of the country is thus described —.

"The physical configuration
"of the country, in its general
"outlines resembles Italy. It is
"traversed from North to South
"by an axial range of mountains
"which runs closets and is parallel
"with the East coast. The Corean
"rivers which flow into the Pacific
"are quite small, the main rivers
"rising to the West of the axial

(range

" range, and flowing Westward to
" the China Sea. The high east-
" coast line which varies in height
" from 4000. to 6000. ft. with peaks
" rising to 8000 ft. is visible from
" a long distance at sea. On
" approaching the coast the country
" is seen to have a wild but
" attractive appearance. The mountains
" which, with their outlying spurs,
" extend close to the shore, rise in
" tiers, range behind range and are
" covered from top to bottom in dense
" impenetrable jungle and forest.
" Some of the ranges are harsh and
" serrated, others again are more
" soft and rounded; but on all there
" is the same undergrowth of creepers,
" roses, dwarf oaks, and stunted
(conifers

" conifers on the lower slopes graduating
" into wild jungle and forest towards
" the summits. The narrow, deep
" valleys are cultivated and thickly
" populated, but the mountains are
" given over to wild beasts. Tigers
" abound everywhere and traps to
" catch them may be seen within
" a hundred yards of the sea.
" One is not surprised to learn
" that they are the plague of the
" country for the jungle and forests
" which cover the hills make it a
" perfect home for them".

The vessel anchored in the northern part of Yung Hing Bay, called by the Russians Port Lazareff.

" This is one of the points

which

"which the Russians are supposed
" to have designs upon, as a basis
" of operations against China, It
" is one of the finest harbours in
" the world, perfectly land locked,
" with waters as unruffled as
" a lake, and with a practically
" infinite space of good holding-
" ground in from eight to nine
" fathoms of water. Though fringed
" with ice round the shores the
" harbour is open in winter. We
" anchored some five miles from
" the Northern end of the bay,
" at which end two rivers run into
" it. An extraordinary account of the
" larger of these, from French sources,
" is given in the China Sea Directory
" Vol. IV which, however true at the
time

" time of the survey, is quite incorrect
" now, The French Admiral who
" surveyed it says that he found ten
" feet of water on the bar; that he
" sailed five miles up the channel
" through a smiling and cultivated
" plain; and that so far as he could
" judge from the information he
" procured, and the configuration
" of the country, the river led to
" the capital and was navigable a
" long distance. The trend of the
" mountain ranges is at right angles
" to the apparent course of the stream,
" and to reach the capital the river
" would have to cross a series of high
" mountains, and to flow South,
" instead of North as it does.
" Of this however when we first

(arrived

" arrived we knew nothing, and when
" we came to an anchor we knew
" no more about the country, the
" officials, and the people than
" if we had come to the moon.
" The shores of this bay are
" a series of lovely inlets and coves
" with the forest and jungle clad
" hills dropping in a sheet of green,
" on the border of white sand which
" marks the seashore. Here and
" there were meadows and valleys
" covered with rice fields and villages."

On landing the party was surrounded by crowds of curious people. The medium of communication was Chinese characters traced with the finger or a stick on the seashore. Every person, peasants, fishermen,

boys

boys hardly in their teens, classes who in China are uneducated, could read and write Chinese. All who wished were allowed to visit the ship and they thronged it. The next day visitors of a higher class came, including merchants and scholars. They were unwilling to talk about official matters, but were very desirous to get information. They declined to forward a letter to the capital, even when tempted by high remuneration. They said such an act was forbidden by their laws.

An examination of the mouth of the river showed that there were only three feet of water

on the bar at high tide.

The following is of interest.

"Hempen clothes are universally
"worn by the laboring classes, and
"the thread is spun much finer
"than would be possible with
"European hemp. I tried to get
"some specimens of the fibre, but
"I was unsuccessful. It must be
"the same I think as the "China flax",
"which grows in the neighborhood
"of Newchwang, and as the a
"importation of that fibre into
"England has long been desired
"by our flax spinners and is only
"restricted on account of its high
"price, attention will probably be
"called to the Corean 麻-hemp-
"whenever the country is open.

(Unfortunately

" Unfortunately I did not know the
" specific Chinese name for the flax
" of Chihli and Shinking. The
" better classes wear white cotton
" clothes, and many of them
" boast of an overall made of
" foreign cotton cloth, the gloss and
" finish of which they much
" admire, for that they prefer a
" heavy 'honest' cloth, such as
" American sheeting. Of silk culture
" there was none in the country which
" we saw. They spin however the
" cocoons of the wild ailanthus,
" and I procured hanks of their
" silk, which to my unexperienced
" eye seemed closely to resemble
" Shantung silk, and several sheets
" of eggs, for Count Candiani who

(10

" is much interested in sericulture.
" Of ornamental artwork, such as
" porcelaine, bronzes, etc. they have
" none. We saw some worthless
" pearls, some silver work for a
" feminine trappings and official
" insignia. The ceramic art is quite
" rudimentary, and they attach an
" excessive value to the comment a
" Japanese ware."

Finally four minor officials appeared saying they had been ordered to visit the ship, and announced that the Prefect also would soon come to visit the vessel. On the day following he came on a junk. He was an old and feeble man. He was seated in a sedan chair which had

been

been lowered into the junk. He brought three Secretaries, and a considerable retinue of dirty, ragged fellows, who during the visit ate and drank all that was offered them, thrust the tumblers and empty bottles up their sleeves, as opportunity offered, and stole whatever else they could.

In the conversation with the Prefect he gave his name as Li-chi-chêng. He said he was an official of the Board of Transmission and Prefect of Yung Ding foo. In reply to the request to forward the letter to the sovereign, he stated that no official can address the Court directly, no matter how important

(the

the matter may be, but that it was his duty to report to the Governor what he should see and hear, and await instructions as to whether he should receive the letter.

A communication to the Prefect, signed by the Duke's aide-de-camp, Candiani, was then placed in his hands. It pointed out the desirableness of having a treaty between Corea and Italy, by which shipwrecked mariners and vessels in want of provisions or assistance should be cared for according to terms agreed upon. It indicated the advantage of treaties with foreign nations, who would be

interested

interested then in protecting the independence of Corea, if it should be threatened by some one nation. It asked that the Prefect would bring these things to the notice of his Government so that when after two months the ship should return, the intentions of the Government might be known.

The Prefect promised to report the despatch and the conversation to the Governor. He respectfully declined a present of cakes and wine, which was tendered him, saying that is was forbidden by law to take gifts without permission. He appeared to be a man of intelligence and constantly consulted

his

his secretaries as to his answers.
In closing the account of this
interview, the Report says.

"During the interview and
" at its close the numerous staff
" which crowded the room regaled
" themselves with wines, sweetmeats,
" and cigars. Not one of them showed
" the respect for Corean laws that
" was professed by the Prefect,
" or the same reluctance to take
" a <u>souvenir</u> of the visit in the
" shape of an empty bottle or a
" biscuit-tin. They wrangled for
" the possession of the most worthless
" articles, and many of them —
" slipped up their sleeves the —
" tumblers and glasses they had
" been drinking out of.

(The

" The Prefect and his staff
" at last left the ship. As before
" he was dragged along the deck
" by his two youths, and literally
" bundled down the gangway into
" his sedan chair in the junk. The
" noisy and hilarious staff poured
" in after him laden with the
" trumpery trophies of their visit
" with which they had been
" presented or which they had
" stolen, all in the highest good
" spirits. Then came the soldiers
" and attendants who had spent
" the time in wandering about the
" ship. They were similarly laden
" with gifts of biscuit, etc. by the
" sailors, who were much amused
" by their praiseworthy attempts

(to

" to devour everything given them,
" even soap. The Prince gave
" orders for the steam launch
" to tow the Prefect's two junks
" to the point where he wished to
" land. They departed in the midst
" of much din, for amongst the
" Tatterdemalion followers was a
" numerous and noisy band of
" music which blew and banged
" in the lustiest and most imposing
" manner. The spectacle of the two
" junks crowded with picturesque
" retainers as they were towed
" away in a chorus of shouting,
" laughter, Corean drums and trumpets,
" and, finally, the booming of our
" big guns, was one of the most
" diverting and impressive I have

(over

" even seen.

" The interview lasted nearly
" four hours, and was in some
" respects an unpleasant and
" trying ordeal. The filth of even
" the official class is extreme, and
" as an example of what is almost
" too disgusting to write about, I
" saw one of the secretaries performing,
" for the hair of his colleague, the
" same good offices that one monkey
" may be observed doing for
" another in the Zoological gardens".

A final visit was made on August 16th, to the villages on the shore of the bay. The inhabitants all knew of the visit of the Prefect, and were very cordial. They sold no supplies

(to

to the Italians, declaring that if they were found with a foreign coin in their possession, they would be heavily punished and run some risk of losing their heads.

One singular incident is worthy of notice. The natives objected seriously to the gathering of oysters by the Italian sailors, who stripped off their clothes in order to procure the shell fish. On careful inquiry it was found that the objection was not to gathering the oysters, but to the sailors going naked into the water. The natives declared that on account of this indecent conduct their women

(had

had been obliged to keep indoors, but if the men would put on some clothing, they might freely take oysters. This modesty is surprising to one familiar with the habits of the Chinese and the Japanese. The poorest classes of the Coreans even while at work in the fields are always decently clad, and the women never show even their faces to strangers.

On the 15th of August the Duke proceeded with his vessel to the lately opened port of Gensan, which is situated on the southern shore of Yung-Hing Bay, about 12 miles distant from the former anchorage. It

(is

is the second of the three ports open to the Japanese by treaty. The Report says.

"The third port has not
"yet been agreed to, as the Japanese
"wish it to be on the West coast,
"and in proximity to Seoul. To
"this the Koreans object. Gensan
"has only been open four months, and,
"as yet, there is no trade. The only
"communication with Japan is one
"steamer every two months. There
"are at present 300. settlers, but,
"of these, nearly one third are
"soldiers or policemen. The houses
"in the settlement are being -
"built in the Japanese adaptation
"of European style which is
"common in the modern parts

(of

" of Tokio. The Bay, at this part, is
" so exposed that the harbour is
" virtually an open roadstead, and
" the site of the settlement does
" not appear to me to be wisely
" selected, either for an anchorage
" or as possessed of the best
" communications with the interior.
" I understood, however, that the Koreans
" would not consent to give a site
" at the Yung Hing end of the bay.
" A Consul General is stationed at
" Gensan, and he is in official
" correspondence with the Prefect of
" Tē Yüan (德源). He has a large
" staff of student Interpreters, who
" are studying the Korean language.
" Communication between the new
" port and the capital is bad; a

(mere

" more footpath over high ranges of hills.
" At this port again, I regret
" to say I have to bear witness to
" the brutal manner in which the
" Japanese treat the Coreans. I do
" not think that the worst class of
" European rowdies would behave so
" badly to harmless and inoffensive
" Asiatics, as one finds the Japanese
" in Corea behaving to the Coreans.
" For example I saw one Japanese take
" a pail of dirty water, and throw
" it into the face of a grave, dignified,
" and well dressed Corean, for no other
" reason than that he was gazing
" with some interest at the new
" houses, and probably to make the
" bystanding Japanese laugh, which
" they did, heartily. I have little

(doubt

" doubt that in a year or two it
" will be as difficult for foreigners
" to land in the neighborhood of
" Gensan, is it is reported to be now
" in the vicinity of Fusan. I told
" the Consul General what I thought
" of the conduct of his nationals,
" but he seemed to think that all
" Coreans were bad, and that a
" promiscuous kick could not fail to
" fall upon a Corean who richly
" deserved it. He gave the Prince
" the usual caution about the
" danger of walking without the
" settlement limits, unless for a
" short distance with an escort.
" The Prince himself had some
" experience of the Coreans by this
" time, and had no fear of the
(unpleasant

" unpleasant consequences of country
" walks. Accompanied by his
" aides de camp and myself, we
" spent three days very pleasantly
" shooting, fishing and roaming
" about the hills and coasts near
" Genan. We were molested by
" nobody. The demeanour of the
" inhabitants was the same here
" as we had found it elsewhere.
" Fine men physically, much finer than
" the Japanese or Chinese, they have
" an upright bold manner, and the
" timidity they exhibit at strange
" sights and strange sounds is the
" timidity of ignorance, not of a
" craven spirit. For the rest, they
" are exceedingly inquisitive and
" filthy in their persons."

The

The visit ended on the 19th of August.

I think you will agree with me that this Report is of great interest and importance. It appears that the trade of Fusan is already more than a million and a half Japanese yen a year or more than a million of our dollars. It appears too that the habits and tastes of the people are such as to promise in due time a considerable market for 'honest' American goods. At Port Lazareff the better classes express a distinct preference for them over the lighter and sized English goods. The peculiar quality of the hemp at that place is also worthy the attention of

(manufacturers

manufacturers of linen.

It is noteworthy that the mixed Court system, which we are using in China, is in full operation at the Japanese settlements. Doubtless the experience of Western nations here has suggested the adoption of the plan.

Nothing which is told concerning the inhabitants is more surprising than their modesty and their attainments in reading and writing, unless it be their mildness and kindness to the visitors.

The description of the ports, and especially of port Lazareff, on which it is thought the Russians are looking with longing

eyes

eyes, will attract your attention.

But you will probably consider with special interest the indications that the Japanese authorities are endeavoring to appropriate to themselves whatever advantages are to be gained from intercourse with Corea. I believe there is much other testimony to the same effect. But of course such an effort on the part of Japan must before long prove futile.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell.

Already sent to press.

Ack. substance to Press. C.P.

No. 34.

Legation of the United States.
Peking, October 22nd, 1880.

DEPARTMENT OF STATE
DEC 22 1880
RECEIVED

James B. Angell to the Secretary of State

Subject.

Telegraph line to Shanghai.

Synopsis.

Li, the viceroy at Tientsin, has been authorized to construct a telegraph line, overland, from Tientsin to Shanghai.

No. 34.

Legation of the United States.

Peking, October 22nd, 1880.

Honorable William M. Evarts,

Secretary of State,

Sir:—

There is good reason to believe that the Imperial Government has virtually decided to build or to allow Li-Hung-Chang, the Viceroy of this Province, to build a telegraph line overland from Tientsin to Shanghai. Though the Board of Foreign Affairs do not yet admit that an Imperial decree on the subject has been issued, a letter from the Viceroy

to

to M. von Brandt, which the latter has kindly permitted me to see, makes it clear that the Viceroy regards the project as substantially decided upon. It is probable that the Government has been stimulated to yield to the request of the Viceroy by perceiving at last how helpful the telegraph will be to them in case of war. A survey of the line has been made, and it is said the work will be completed at latest by the Spring of 1882. It may be expected that foreigners will be allowed the use of the line under certain restrictions. As the mail couriers now go from here to Tientsin in twenty four hours or

(in

in an emergency in less time (the distance being only about eighty English miles) this capital will be within a day's reach, by telegraph, of all the Western powers. And if no difficulty occurs in completing and working the line from Shanghai to Tientsin, it is not extravagant to hope that it may without great delay be extended to Peking.

If the telegraph shall really be erected between Tientsin and Shanghai and protected from injury, the event will have an importance far transcending the practical advantages to be gained by the use of that line. It will show that one more foolish prejudice of the authorities against the

(useful

useful inventions of the West has been weakened or overcome and it will go far to remove the superstitious opposition of the people to the telegraph.

You will doubtless remember that some years ago the opposition to a line which had been constructed in the province of Fokien was so violent that the wires were taken down. A similar hostility to the railway exists. It is doubtful if a telegraph owned by a foreign corporation could escape popular violence now. But one erected by the Government will stand undisturbed, like the line erected by Li-Hung Chang between Taku and Tientsin.

A

I have the honor to be,

Sir,

Your obedient Servant.

James B. Angell.

Copy to Navy Dept. Jany 8. 1881. Mr. Cridler

Copy to Navy Dept C.P. made

No. 35. Two Enclosures.

DEPARTMENT OF STATE DEC 22 1880 RECEIVED

Legation of the United States.

Peking, October 22nd, 1880.

James B. Angell to the Secretary of State.

Subject.

Secondary meridians of longitude.

Synopsis.

Refers to Department instruction, number 13., and states the action taken. Chinese local authorities at Shanghai and Amoy have been instructed to render assistance to Commander Green.

No 35. Two Enclosures.

Legation of the United States.
Peking, Oct. 22nd, 1880

Honorable William M. Evarts.
Secretary of State,

Sir:-

In conformity with your instruction in No 13, I sent a communication, herewith enclosed, 1/35. to His Imperial Highness, Prince Kung, asking for Lieutenant Commander Green U.S.N. and his party permission to land at Shanghai and Amoy and engage in the work of telegraphically determining secondary meridians of longitude.

(Jon

For obvious reasons I ventured to assure the Prince that the results of the work would if desired be cheerfully communicated to the Chinese Government. Even then I found in a personal interview with the Yamen that from their lack of knowledge of the methods and objects of the proposed observations, they were not free from suspicion that we were not seeking to make some kind of survey of their territory, which could be used to their disadvantage. But a little explanation cleared their minds, and soon after I received from Prince Kung the desired

(permission

permission for Lieutenant —"
Commander Green and his —"
party.

The Prince in his reply
quotes at length my communication
to him (enclosure 1) and then adds.

" In reply to the above despatch
" I have the honor to inform
" Your Excellency that the —"
" necessary instructions as therein
" requested have been issued
" by me to the Southern Superintendent
" of Trade and the Governor General
" of the provinces of Yunkien & —"
" Chekiang, who will in turn
" transmit them to their —"
" subordinate officers in the localities
" concerned. In addition to which
" it becomes my duty to send

(this

"this communication for Your
"Excellency's information."

I have informed
Rear Admiral Clitz, —
commanding our Asiatic —
squadron, of the purport of
Prince Kung's communication.

I have the honor to be,
Sir,
Your obedient servant.
James B. Angell

Enclosures.

1. Mr. Angell to Prince Kung.
   No. 79. Oct. 1st, 1880.
2. Mr. Angell to Admiral Clitz.
   No. 62. Oct. 19th, 1880.

Despatch No. 35.
Enclosure 1.

Mr. Angell to Prince Kung.
No. 79. October 1st, 1880.

Y. I. H.

I have the honor to say that I am informed by my Government that the Navy Department of the United States desires to send during the coming year Lieutenant Commander F. M. Green U. S. N. to Shanghai and Amoy to make astronomical observations for the purpose of determining telegraphically secondary meridians of longitude. This work is carried on by our Naval officers in various parts of the world and is of great value in making more secure the navigation of the seas. The results are made known

to

to other nations and will be cheerfully communicated to the Chinese Government.

I am desired to ask permission of the Imperial Chinese Government for the landing and temporary establishment at Shanghai and Amoy of the necessary instruments and for making the requisite observations.

I therefore respectfully request that, if you deem proper, you will issue directions to the local authorities at Shanghai and Amoy to facilitate the work of Lieutenant Commander Green and his party.

With assurances of my most distinguished consideration

I am, etc. etc.

(Signed) James B. Angell.

Despatch No. 35.
Enclosure 2.

Mr. Angell to R. Admt. Clitz.

No 62/1880. October 19th, 1880.

Sir:—

In obedience to an instruction from our Government I have requested of the Chinese Government to give the proper instructions to the local authorities at Shanghai and Amoy to facilitate the work of Lieutenant Commander Green U. S. N. and his party upon their intended visits to those ports to determine telegraphically secondary meridians of Longitude. I informed His Imperial Highness Prince Kung in my communication that the results of the work would be cheerfully communicated to the Chinese Government.

It required some verbal explanation

explanation to make the Board of Foreign Affairs understand the object of the observations.

But I have now received a communication from Prince Kung, in which after quoting at length my request, he says.

"In reply to the above despatch "I have the honor to inform Your "Excellency that the necessary instructions "as therein requested have been issued by "me to the Southern Superintendant of "Trade and the Governor General of the "provinces of Fokien & Chekiang who will "in turn transmit them to their subordinate "officers in the localities concerned".

Lieut. Commander Green can therefore confidently ask for all the privileges he needs in his work.

I am, Sir, etc.

(signed) James B. Angell.

Copy all made

No. 8. Three Enclosures.

DEPARTMENT OF STATE
DEC 22 1880
RECEIVED

United States Commission.

Peking, October 23rd, 1880.

The Commissioners to the Secretary of State.

PRINTED.
FOREIGN RELATIONS

Subject.

Progress of negotiations.

Synopsis.

States the course taken in the business since the Commissioners despatch number 6. was sent, and forward certain papers for the consideration of the Department.

No. 8) Three Enclosures.

United States Commission.

Peking, October 23rd, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

Our despatch number 6. covered the memorandum which we submitted at our first interview with the Chinese Commissioners, and the reply which they transmitted a few days after.

Upon the receipt of that reply we asked for and obtained an interview on the 13th instant, at which we took

took up their paper, 4
paragraph by paragraph,
and discussed its points in
conversation. A precis of
that conversation - which
was submitted to the Chinese
Commissioners - accompanies
1/8. this despatch.

At the same time
we placed before them a
draft of such modification
of existing treaties as we
thought necessary to secure
the object of our mission,
2/8 a copy of which will be
found in enclosure number
2.

Yesterday - the 22nd/4 - we
3/8. received a communication,

a

a copy of which will be found in enclosure number 3., and immediately upon its receipt asked for a conference to day. It was long and full, but owing to the hour at which it was held, and the character of the discussion, it is impossible to prepare a *precis* in time for the mail which leaves to morrow.

We need only say at present that it was on the whole quite satisfactory — that the Chinese Commissioners disclaimed any intention of laying down an ultimatum of concession in the language

which

which they had used, declared their object to be rather to reach a full understanding of what we wished, — expressed their satisfaction with such explanations as we furnished, and assured us that they had but one purpose, and that was to come to an amicable solution of the matters under discussion, and to do so in time to allow the Commissioners to leave before the close of navigation.

A precis of the conversation will be sent by the next mail.

We have the honor to be,

Sir.

Sir,

Your obedient servants.

James B. Angell.

John F. Swift

Wm Henry Trescot

Enclosures.

1. Precis of conversation of October 13th inst.
2. Draft of modification proposed to existing treaties.
3. Translation of communication received October 22nd inst.

Despatch No. 8.
Enclosure 1.

Precis of a conversation had with the Chinese Commissioners Wednesday October 13th 1880

Mr. Trescot on behalf of the United States Commissioners said.

We have received the communication of Your Ex's, with the request that we would say how it strikes us.

We will do so with entire frankness but you must first allow us to correct some misconceptions which we think Your Ex's will not be unwilling to have removed.

You say, referring to immigration into the United States of Chinese laborers." formerly,

when Their was a demand for
these laborers the only fear was
that they would not go thither,
and now because of the influence
of violent men there exists a
desire that they stay away!"
Again "But
now because the Chinese do good
work for small remuneration
the rabble are making a complaint"
again." If now because of
temporary competition between
the Irish and strange guests
a decision is lightly taken to
change the policy of the
Government, contradiction
with the Constitution of the
United States and existing
treaties can not be avoided."

Knowing as we do the well established and traditional courtesy of the Chinese Government in its relations with other nations, we are sure that you did not mean to give offence by this language. But we feel it our duty both to ourselves and to our Government to recall to your attention that we represent the Government of the United States and that any communication we make comes from it after careful and most friendly consideration and is entitled at your hands to the same respect with which any communication from you has been and will always be

received by us, you can scarcely mean to say that the Government of the United States is merely speaking the language of "violent men" or that the great nation in whose name it addresses you is "a rabble or that "a competition between the Irish and stranger guests" is the motive of its conduct.

You will certainly recognize that the Government of the United States, like the Government of China has the right to appreciate for itself the motives of its own policy and that when it addresses to the Chinese Government a communication upon a

subject of grave interest in respectful and friendly language, it cannot allow the representatives of China to go behind that communication and either criticize its motives or deny the good faith of its representations.

Your Ex's would be justly offended if we should venture to consider your language as anything less than the authorized voice of your Government and if we presumed to go beyond your words and to look for your motives and reasons in the rumours of the streets and in the public gossip of the people. We trust therefore

that your Ex's. will understand
that we are speaking for the
Government of the United States
and that we represent in all
that we may say, the grave, well
considered resolution of that
Government and that while
we approach you in the most
amicable spirit and will give
the most respectful attention
to any views you may submit
to our consideration, we cannot
in any discussion accept as
satisfactory language which
separates the Government of the
United States from its people
or claims the right on the part
of the Chinese Government to
question the sincerity of any

Communication which we may make in its behalf.

The Chinese Commissioners replied.

What you have said is very satisfactory. Our remarks in the memorandum were by the way of argument merely and not intended to express any positive opinion of our own. We had heard that the Chinese in California were not in accord with the Irish, and came into competition with them. A Minister told us that this fact was at the bottom of the difficulty and so we mentioned it in our memorandum. But we added

also in the memorandum that we did not believe the Government was influenced by such motives. Our only desire is to discuss and settle these questions upon a basis of mutual amity. Mr. Secretary replied.

But as an impression may have been made upon you by designing men for mischievous purposes that the Government of the United States does not represent the wishes of the American people, we would call to the attention of M. S. that the people of the United States are at the present moment preparing for the periodical election of their

President. As you are well aware it is the habit on such occasions for both of the great parties of the country to declare what-policy they think the interest of the country requires and we have the honor to submit for your consideration the declarations of their opinions on the subject of Chinese immigration which they have respectively put before the world.

The Chinese Commissioners replied.

No one has influenced us in this matter. We had not been biased by what we have heard.

Mr. Fassat continued

M. E.s are also pleased to say to us. "Since M. E.s desire to discuss this business further with us, we are ready to discuss further the propositions of Mr. Seward."

If it is the desire of M. E.s to discuss these propositions we will do so at the proper time but we feel it best to inform M. E.s that these propositions in no wise represent the wish or purpose of the United States Government and that the appointment of a new Minister and our presence here with full powers to negotiate, ought to be to

you sufficient evidence of what value you should attach to such representations, we are entirely unaware of any authority or approval given by the Government of the United States to the proposal submitted on his own responsibility by Mr. Seward to the Chinese Government.

The Chinese Commissioners replied.

We assumed of course that, since Your Government had appointed a new Minister and three Commissioners to modify the Treaty, the propositions of Minister Seward were not deemed satisfactory by your

Government, but we had received no official information upon this point.

Mr. Insert said

Having corrected these misapprehensions as we consider them, we cordially recognize the amicable spirit of your communication. We are glad that you acknowledge as we have done the long and unbroken friendship between the two countries. The fact that our intercourse has developed commercial activity to a large extent and to mutual benefit and that immigrants from China "have never failed to received all the benefits, privileges,

and immunities guaranteed to them by the Treaties" and that "all this" as you kindly and justly say "was eminently just and honorable in the highest degree to the United States Government."

The Chinese Commissioners replied.

This is simple truth. The relations existing between the two countries have been of the friendliest.

Mr. Frisbie responded.

On our part we readily acknowledge the service which Chinese labor has rendered to the citizens of the United States. But we would

call to your attention that this immigration had commenced and largely increased before the Burlingame Treaty and that in our opinion that Treaty has not as you suppose materially contributed to our strengthening of our relations of amity. In deed we fear it has been the reverse. For it is only since that Treaty, that the question has arisen which now causes disturbance in our old and friendly relations.

And this brings us to the point of practical difference which your communication indicates as existing between us.

The Burlingame Treaty gives to the subjects of China the right of unrestricted immigration into the United States, at least the Government of the United States has hitherto acquiesced in that construction of the Treaty and would much prefer to readjust its provisions than enter into any discussion of what they strictly mean.

Under the provision of that Treaty, as construed, the immigration of labor from China has become very large and has raised questions of social order and political consequences not anticipated. That this is a grave embarrassment

you must receive as the conscientious conviction of the United States Government. What we are instructed to say to you is that the Government of the United States thinks it is entitled to treat this question as its own most important interest demands, That from our past relations and the advantages we have derived, you may feel assured that such immigration would not be limited or prohibited unless threatend serious evils - and that if it does then we expect from the Chinese Government a due consideration of the

difficulties it imposes.
The Government of the United States thinks that it ought to have the right to decide to what extent and under what circumstances that immigration is wholesome and to stop it when it becomes injurious. Its most solem duty to its own citizens will not allow it to forego the exercise of that right. It therefor asks you to consent to such a modification of what you consider your Treaty rights under the Burlingame Treaty as will enable it to discharge that duty without raising questions which might disturb the friendly

relations of the two Countries.
If we understand your concluding remarks correctly, they seem to us to mean that you can enter upon no negotiation which looks to the modification of that Treaty.
If so, we do not see what we are to negotiate about. What we wish you refuse in advance namely the modification of the Burlingame Treaty.
If you can see any way in which we can reach what we wish without a modification of that Treaty, we will gladly consider it. But it does not suggest itself to us.
The Chinese Commissioners

replied.

That is not our idea. We are only anxious not to do any thing which should be in direct opposition to the Burlingame Treaty. The propositions of Mr Seward amounted to a modification of the Burlingame Treaty. For under that Treaty all Chinese good or bad could at their own will go to the United States and the officers of neither country could interfere. But as they went in excessive numbers, Mr. Seward proposed to take steps to prevent four classes from going thither, and China was

glad to be able to concert measures with him to this end. As it appears now that Your Government does not approve of Mr Sewards propositions we are quite ready to concert further measures with you. As Prince Kung said: the United States has its difficulties in this matter and so has China. To devise a remedy devoid of difficulty to either Power will be exceedingly desirable, and I think quite feasible

Mr Tsuen added

We therefore feel bound to avoid a useless waste of time and words to ask

if that is the construction which we are expected to place upon your words.

We can scarcely anticipate that because as you say "other powers treated the Chinese laborers harshly and not with the kindness shown them by the United States" the Chinese Government will refuse to that Government as large a discretion in dealing with this question as it has conceded by Treaty to those other powers. And in order to indicate with more precision what the Government of the United States desires we submit to your consideration the following

paper (See enclosure No 2)
The Chinese Commissioners
replied

We will carefully consider
this proposition, submit it to
the Prince and give you an
answer.

The Commissioners
were asked to give a response
at an early day

Despatch No. 8.
Inclosure 2.

To indicate more precisely the wishes of the United States we suggest the following proposition for the consideration of the Chinese Government.

Art. I

The United States of America and the Emperor of China recognize the mutual benefit which results from the proper intercourse of the citizens and subjects of all nations, and in order to encourage such intercourse between the two countries agree, that citizens of the United States visiting or residing in China and subjects of China visiting or residing in the United States for the purpose of trade, travel, or temporary residence, for the prosecution of teaching, study, or curiosity, shall enjoy in the respective countries all the rights, privileges immunities

and exemptions which are granted by either country to the citizens and subjects of the most favored nations.

Art II

Whenever, in the opinion of the Government of the United States, the coming of Chinese laborers to the United States, or their residence therein, affects, or threatens to affect, the interest of that country, or to endanger the good order of the said country, or of any locality within the territory thereof, the Government of the United States may regulate, limit, suspend, or prohibit such coming or residence, after giving timely notice of such regulation, limitation, suspension, or prohibition to the Government of China, and the words Chinese laborers as herein used to signify all

immigration other than that for teaching, trade, travel, study and curiosity therein before referred to and authorized and provided for in existing Treaties.

Art. III

But it is distinctly understood between the contracting parties that all Chinese subjects who under the faith of existing treaties have gone into or are now residing in the United States shall be guaranteed all the protection, rights, immunities, and exemptions to which they are now intitled under the provision of said treaties.

Despatch No. 8.
Enclosure 3.

The Chinese Commissioners
to Messrs. Angell, Swift & Isaacs.

Upon the 13th inst. H. E. furnished us with a project for a modification of existing treaties, and upon the 17th H. E. forwarded a precis of our conversation of the 13th. We have carefully studied these papers and beg now to submit for your consideration a memorandum in reply.

Cards and compliments.

Peking, October 22nd, 1880.

Memorandum.

Some days since Y. E. handed to us a project, in two sections for the modification of existing treaties which has received our careful consideration.

Section first declares that the people of either country visiting or residing in the other, for the purpose of trade, travel, residence, teaching study or curiosity shall enjoy in the respective countries all the rights, privileges, immunities and exemptions which are granted by either country to the citizens and subjects of the most favored nation. This is in exact accord with the Treaties now in force, and there seems to be no occasion for a reenactment of this section.

Section

Section second declares that there are difficulties growing out of the emigration of Chinese laborers to the United States, and explains that the words "Chinese laborers" are used to include all persons, except such as go thither for the purpose of teaching, study, trade, travel, and curiosity. The separation of this class from the mass of the subjects of China in this manner is not in strict accord with the spirit of our treaties, and in practical operation would meet with many difficulties. But bearing in mind the deep friendship between the two Governments, in the event of embarrassments on either part, a solution must be sought in a spirit of mutual concession.

We infer that of the phrases

phrases, "regulate, limit, suspend, or prohibit" the first is a general expression referring to the others. When Mr Holcombe was at the Yamen the other day we said to him that the use of the term prohibit was not in accordance with the treaties in force and that China would assuredly find it difficult to adopt it.

At the moment we are only prepared to negotiate for a mode of limitation, having in mind the interests of both Governments. We are entirely ready to negotiate most carefully with Y. E. to the end that a limitation, either in point of time or of numbers, may be fixed upon the emigration of Chinese laborers to the United States But the limitation when agreed upon can only apply to the

ports

ports of China. If persons go from other parts China would neither know of nor be able to prevent it.

If H. I. M. have any suggestions as to how this is to be accomplished we trust you will give your views fully so that we may consider them together. But if, after the limitation shall have been agreed upon and settled, the emigration to the United States becomes small, then the action should be as heretofore, that is, in accordance with the stipulations of existing treaties.

We appreciate beyond expression the declaration made by H. M. that all Chinese subjects who, under the faith of existing treaties, have gone into or are now residing in the United States

shall

shall be guaranteed all the protection, rights, immunities, and exemptions to which they are now entitled under the provisions of existing treaties.

While considering this business, your précis of our conversation came to hand and has been carefully noted.

File

made

No. 9. Two Enclosures.

United States Commission.

Peking. October 26th, 1880.

DEPARTMENT OF STATE
DEC 22 1880
RECEIVED

The Commissioners to the Secretary of State.

Subject.

Record of a meeting of the Commission

Synopsis.

Forwards a copy of the record with certain papers.

No. 9. Two Enclosures.

United States Commission.

Peking, October 26th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

At the request of Mr. Swift, we have the honor to forward to you a record of 1/9.
& a meeting of this
Commission, with certain &
papers, to which the record &
refers, and which sufficiently
explain themselves.

We also enclose a
supplementary paper & 2/9.
prepared by Mr. Swift &
which

which the other members of the Commission have agreed shall be submitted without further argument on their part.

We have the honor to be,
Sir,
Your obedient servants.

James R. Angell,
John H. Swift
" "
Wm Henry Trescot

Enclosures.

1. Minute of meeting held " October 1st, 1880.
2. Supplementary paper " prepared by Mr. Swift.

Despatch No. 9.
Enclosure.

Précis.

At a meeting of the Commission held October 1st 1880, having read and compared the English and Chinese texts of the Memorandum to be submitted to the Chinese Commissioners — (enclosure number one*) a discussion ensued upon the shape to be given to the articles to be presented to the Chinese Commissioners. Mr. Swift objected to the four articles (enclosure number 2) which had been drawn up by Mr. Prescot and Mr. Angell, and proposed to substitute an article drawn up by himself (enclosure number 3.) and, in case of its rejection by

* (See despatch No. 6. Enclosure 1. (the

the Chinese, to negotiate for the adoption of a second article (enclosure number four).

Upon the rejection of his proposed articles by his colleagues, Mr. Swift requested that all negotiation be suspended and that both sets of articles - Nº 2, and Nºs 3. and 4. be transmitted by telegram to the Secretary of State with a request for instructions as to which should be made the basis of negotiation.

This being declined, Mr. Swift proposed that no articles be submitted to the Chinese Commissioners at the first meeting. It was finally agreed that none should be submitted at that

(interview

interview unless in the course of the conference the Chinese Commissioners indicated a desire to have them, and in that contingency the proposition (enclosure No. 5.*) should be submitted in order to indicate with some precision the wishes of the Government.

Mr. Swift then expressed his wish to place upon the record his reasons for dissent from the conclusions of his Colleagues, which he did in the paper marked (enclosure 6.).

Messrs Angell and Prescot also placed on the minutes in reply the papers marked (enclosures 7.).

Chester Holcombe

Secretary.

*(See despatch No. 8. Inclosure 2.)

Precis

Cover Lio. 2.

In order to indicate with somewhat more precision the wishes of the United States, the Commissioners now submit the following modification of existing Treaty Provisions, subject to the consideration of the Chinese Government.

Art. I. The United States of America and the Emperor of China recognize the mutual benefit which results from the proper intercourse of the citizens and subjects of all nations and in order to encourage such intercourse between the

(two

two countries agree, that
citizens of the United States
visiting or residing in China
and subjects of China visiting
or residing in the United
States for the purposes of
trade, travel, or temporary
residence for the purpose of
study or curiosity, shall
enjoy in the respective
countries all the rights,
privileges, immunities or
exemptions which are granted
by either country to the
citizens or subjects of the
most favored nation.

Art. II. And the Emperor of
China further agrees to
consider favorably any
opportunity

opportunity for the extension of such intercourse as may seem upon due examination to conduce to the best interests of both countries and that the Emperor will receive with careful attention any representation of the Government of the United States as to such special extension of the area of trade intercourse which the United States may desire.

Art. III. Whenever in the opinion of the Government of the United States the coming of Chinese laborers to the United States or their residence

residence therein affects, or threatens to affect, the interests of that country or to endanger the good order of the said country, or of any locality within the territory thereof, the Government of the United States may regulate, limit, suspend, or prohibit such coming or residence, after giving timely notice of such regulation, limitation, suspension, or prohibition, to the Government of China.

Art. IV. But it is distinctly understood between the contracting parties, that all Chinese subjects who under the faith of existing Treaties, (have

have gone into or are now residing in the United States shall be guaranteed all the protection, rights, immunities, and exemptions to which they are now entitled under the provisions of said Treaties,

No 1. Precis.

Cover No. 3.

Proposed article submitted by Mr. Swift

Art.

It is agreed between the Emperor of China and the United States that from and after the ratification and exchange hereof Chinese subjects are and shall be prohibited from immigrating to or residing in the United States or any ~~territory~~ thereof for any purpose except commerce, travel, education, curiosity, or religious teaching, and only while so occupied, until such time as the United States Government shall desire immigration for other purposes than above named, to be evidenced

by

by the passage of an Act or "
resolution of Congress to that
effect and until due notice of
such desire shall be communicated
to the Chinese Government.

The United States, on its
part, engages to protect all "
Chinese subjects who have at
any time lawfully entered its
territories for any purpose under
the faith of treaties in accordance
with the terms of the treaties
and laws in existence at the
time of such entry.

No. 2. Precis
Cover No. 4.

Proposition presented by Mr. Swift as an alternative for the first and in case of its rejection.

Art.

It is agreed by and between the high contracting Powers that the citizens and subjects of China and the United States respectively visiting or residing in the territory of the other for any lawful purpose at the time of the exchange of the ratification of this treaty shall be guaranteed the right to continue and remain in such territory during their pleasure and while so remaining shall be entitled to the protection of the treaties

(then

then in force. Provided however and it is further agreed that from and after the exchange of such ratifications the citizens and subjects of either nationality shall be and are hereby prohibited from going to or remaining in the country of the other for any purpose except that of trade, travel, education, or religious teaching, and only while engaged in such occupations; until such time as the Power desiring the presence in its territory of such prohibited class shall by regulations duly made by its constituted authorities authorize the coming into its territory of such class.

Precis.

Cover No. 6.

U. S. Commission Plenipotentiary.

Peking, October 1st, 1880.

Honorable James B. Angell,
and Honorable Wm H. Trescot
U. S. Commissioners Plenipotentiary
to China.

Gentlemen,

At the informal meeting held yesterday for the purpose of agreeing upon propositions to be made to the Chinese Commissioners as the basis of our negotiations, I had the honor to submit two proposed articles, copies of which accompany this - marked No 1. and No 2.; the second being an alternative to be

(presented

presented only in the event of the Chinese Commissioners ~~—~~ refusing to agree to the first, which articles you decided to reject, while you adopted another providing, not for regulating and prohibiting Chinese immigration by positive stipulation in the treaty — as do both of mine — but simply authorizing Congress to do the same whenever in the future it shall deem such a course expedient.

I understand that your objections to my proposed articles do not go ~~—~~ to any matter of form which I could amend, but that you are opposed on principle to any plan (providing

providing directly in the treaty
and by its proper force for the
immediate regulation, restriction,
or prohibition of any class of
Chinese immigration, even if
the Chinese Government would
consent to such a treaty, and
that you propose to confine our
negotiation strictly, at least so
far as this question is concerned,
to securing a modification of
existing treaties so as to leave
it in the power of Congress
in its discretion to take such
action in the future as it may
deem advisable. To this course
I earnestly object. As I understand
the instructions verbal and written
of the State Department, to this

Commission,

Commission, the articles submitted, at least as to the disputed point between us, namely – the principle of regulating and restricting the obnoxious immigration by the direct force of the treaty itself, if such a concession can be obtained from China, more nearly represents the views of the Department, and is more in accordance with the wishes of the Country than your plan of leaving the question ~~solely~~ to be dealt with hereafter by Congress. For, be it remembered that under my plan, Congress still has control of the question, and can remove all restrictions upon immigration

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at any time by an Act, or even by a simple resolution, and of course can regulate it in any way it desires. I base this opinion upon the following grounds - briefly stated.

While at Washington in May last I had many conversations with the Hon. The Secretary of State in which he endeavored to impress me with his opinions - and inform me of his purposes on the Chinese Question. That each of you had similar interviews and conversations with him, I have no doubt, and that you must have heard substantially the same language.

By

By these conversations I learned, in substance, that the Administration regarded the presence of the relatively great and increasing number of adult Chinese males in the states bordering on and contiguous to the Pacific Ocean as a great injury and danger to the well being of those communities, and a menace to our institutions, if not to our very civilization. That it was, as Mr. Evarts (with a felicity of language quite his own) described it, "not an immigration in any sense but a labor invasion". That it was no more an immigration than would be the landing upon our

shores of an equal number of foreign soldiers for temporary shelter, or even for purposes of agression and conquest. He described it as an "overshadowing evil" which the Administration thoroughly appreciated and was determined to check, restrain, and bring to an end as speedily as was consistent with our friendly relations with China, the just claims of commerce, and the rights of American citizens now residing in that country.

To these conversations the Hon. Secretary of State calls our attention in direct terms in his first and most complete instructions yet sent us, as forming

forming a part of the rules that are to guide our negotiations. In my judgment they were intended to be a very important part of them.

Since arriving in China we have received from him additional written instructions, notably the paper containing quotations from the respective platforms of the two great political parties into which our country is divided. In this last we are officially informed by the Hon. Secretary of State that the Republican party has declared through its National Convention that it regards "the unrestricted immigration

(of

of Chinese as an evil of great magnitude" and it invokes "Congress and the treaty making powers to restrain and limit the same".

In the same letter of instructions we are also told that the Democratic party is in like manner pledged, if in power, "to amend the Burlingame Treaty in such way that there shall be no more Chinese ~ immigration, except for travel, education, and foreign commerce".

I am compelled to believe that these documents were sent to us for no idle or immaterial purpose, but that they are ~ intended to remove any doubt

(that

that may rest in the mind of any Commissioner, of the purposes of the Administration as well as of the substantial unanimity of public opinion throughout the entire country upon this question.

I entertain the belief that the Administration desires, in accordance with the most intelligent opinion of the country expressed through these Conventions that Chinese immigration shall be, by Treaty if the Chinese Government will consent, brought at once under restraint and limited to those who come for the purposes of commerce, travel, education, and the prosecution of missionary work. I believe that

(if

if we can agree among ourselves, we can, by respectful discussion, convince the Chinese Commissioners, of the justice and propriety of these restrictions, and can obtain their consent to a treaty such as my articles indicate.

My plan if agreed to and placed in the form of a treaty with such matters of detail as would be necessary to perfect it, would set in operation immediately the remedy, slow enough at best, which in time, probably not less than a generation, would restore the Pacific States to the normal condition of healthy, well regulated, American communities, homogeneous in people, free from race conflicts, and marching

(abreast

abreast of their sister States upon the line of safe and durable progress. My objection to the article proprosed by you is that I fear the result will be to greatly postpone the relief which the Pacific States (up to this time the chief sufferers by the Chinese evil) so much need, and to which in justice, in my opinion, and in the opinion, if I am correct, of the Administration, they are entitled. I do not wish to be understood, however in any sense, as objecting to the article proposed and agreed upon by you, in case those offered by myself should, for any reason, fail of being agreed upon. On the contrary I should

and shall act with you, in doing all in my power tending to the success of your plan, and the perfection into treaty shape of the principles of your article. In short, I regard your article as of great value, and one that I would gladly accept, if I did not hope and believe we could by making a united effort, do even better. But believing, as I do, that the country and especially the Administration expect us to come as nearly as possible to stopping Chinese immigration by force of the treaty, I feel that I cannot do less than respectfully insist that we make this effort, and not accept less than all we desire,

desire, till we find that the Chinese will not agree to our wishes.

Under these circumstances I have respectfully asked that we take the opinion of the Honorable Secretary of State upon the disputed point, before laying any definite proposition before the Chinese Commissioners. That this be done at once by telegraph.

Upon your denial of this request, and proceeding with the discussion as agreed upon between you, I formally but respectfully protest, and ask that under the rules, this paper be spread upon the minutes of the Commission.

I further request that this part of the proceedings be made (the

the subject of a despatch and that the Secretary of State be requested to instruct us upon the point for our future guidance.

Respectfully yours—

John F. Swift

Commissioner Plenipotentiary—

Precis.

Cover No. 7.

The undersigned, having given the most careful consideration to two propositions submitted by their Colleague Mr. Swift, as a substitute for their own and recognizing the right which he has exercised to place his protest against their rejection upon the minutes of the Commission, desire to put upon the record, the reasons which in their judgment prevents the adoption thereof.

Our proposition is that China shall recognize by modification of existing Treaties, the right of the United States Government to regulate, limit, suspend or prohibit the

immigration of Chinese labor at its own will and pleasure.

The object of the two propositions submitted by Mr. Swift, seems to be to prohibit Chinese labor immigration absolutely, unless the Government of the United States by some act of legislation shall open it, and as the Articles are constructed, immigration from China is to be prohibited by China. To ask one nation to adopt legislation subject to modification or abrogation by the independent legislation of another seems to us to ask too much. But waiving that we object.

1. Prohibition of immigration from China to the United States by China, will not prevent immigration from Hong Kong which is nearby and practically the point of immigrant departure. To make such a Treaty provision operative would require a Treaty with Great Britain and legislation on the part of the United States.

a. If in violation of such prohibition by the Chinese Government, Chinese laborers come to the United States, they will not unless the Government of the United States has prohibited their coming, have committed any punishable

offence against the laws of the United States. Suppose for a moment that an European Nation should make such a prohibition, would either the law or the public opinion of the United States enforce it within their territory?

3. Such a prohibition by China, in a Treaty, could not be enforced in the United States without a law passed by Congress, so that the power given by our proposition to Congress would cover, only more fully and effectually the purpose of the proposed articles. This difficulty is even stronger in the alternative

article which provides for mutual prohibition, for the undersigned cannot understand how under the provisions of the Constitution and the sentiment of our people a Treaty without legislative action, could prohibit an American citizen from leaving the United States, to go wherever he pleases.

4. If Congress having the power to limit and prohibit given in an article, would not pass the laws requisite for the exercise of such power, then it may fairly be presumed that the Senate would not ratify the Treaty which under those propositions, would have

enacted the law for them.

5. If there is any doubt about what Congress would do we certainly have neither right nor power to bind its hands by Treaty stipulation and would, we fear, by attempting to do so, lay ourselves open justly to grave censure.

6. Being satisfied that the proposition would be rejected by China and that we would have to fall back on another, we are unwilling to commence by a proposition, giving up which, will encourage the Chinese Negotiators to believe that persistent rejection on their part will lead to

reserved withdrawal on ours.

We cannot consent to ~~it~~ suspend negotiation and ask for instruction. The delay would be too great, but what is worse, after the interview we have had with the Chinese Commissioners, to suspend further conference would be understood by them to mean a grave difference of opinion among ourselves, which would in our judgment be fatal to all hope of a successful negotiation. The provision in our Full Powers, that the consent of any two ~~it~~ Commissioners is sufficient, was, we believe, meant to obviate

any such necessity.

We will gladly at Mr. Saville's request submit the whole question to the Department in a dispatch, but we cannot suspend action, the approval or disapproval of which of course lies with the Secretary of State and the responsibility of which we must take.

Yours truly
James B. Angell

The undersigned desires further to state as follows

He is not prepared, as Commissioner to declare himself in favour of direct and complete arrest of Chinese immigration to the United States by treaty; even if such arrest is practicable. He believes that such immigration may proceed too rapidly or may become too great for the best interests of the nation and therefore that our Government should have the power to check it. But he is of the opinion that Congress representing the whole people is the proper body to judge when that power should be exercised.

He sympathises with the traditional policy of our Government to permit free emigration from other lands. He believes that restriction on it should be deemed the exception to our general rule and if the assent of any other nation to restriction of the immigration of its subjects is to be asked, it should be on the condition that positive and affirmative action of Congress declares the existence of an exigency which calls for this exceptional procedure.

James B. Angell

Despatch No. 9.
Enclosure 2.

Mr. Swift then filed the following reply to the points made by Messrs Angell and Prescott.

Mr. Swift in reply

I do not understand that there is any such thing as a right of emigration or of immigration disconnected from force or the right of the stronger. The entry of aliens into any country unless accompanied by strong hand (in which case the right is that of conquest) must always be subject to the approval of the country whose territory is intruded upon. The contrary doctrine laid down in the Burlingame Treaty not being based upon natural law

(cannot

cannot change the principle, and makes a new rule only between the signatory powers and as to them only during their good pleasure. Chinese and all other immigration into the United States depends upon positive law permitting it, and becomes unlawful and the immigrant an intruder when he comes without such permissive laws and especially when he comes in violation of positive enactments.

And while I do not understand that either of my colleagues question these very elementary rules, yet it seems to me necessary to re-affirm them as the basis of my contention.

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It is quite true that our Government being one of law, and permitting the executive and police authorities to exercise no power except as prescribed by the Legislature, it may be that the fact that an alien is unlawfully present in our country gives no one the right to molest or interfere with him. But such alien could be dealt with and at least ordered out of the country, whenever at any time the Legislature chooses so to do, and provides the necessary machinery for that purpose.

Even the 14th Amendment would not cover the case of an alien intruding upon our territory in violation of law.

law; for I cannot believe, broad and comprehensive as that article seems to be, that it will ever be held that it confers upon the four hundred million Chinese still in China, the inchoate right to be sharers in the wealth of our land and to impress their habits and views upon its institutions whenever it may suit their convenience or pleasure to exercise the right by coming to it.

If therefore our Constitution confers no right upon non-resident aliens, as I believe it does not, and if a treaty duly made under our system becomes a part of the Supreme

Law

Law of the land about which there certainly can be no question, I see no reason why it is not competent for a treaty with China to render the coming to the United States of any Chinese subjects or class of subjects — unlawful, and the individual so coming an intruder, to be expelled whenever there is a law to that effect and any competent authority to enforce such law.

Believing the coming of adult Chinese males to this country as it is now going on in the Pacific States to be an evil and that the Administration and the most intelligent opinion

of

of the country is in accord with that view, I seek by treaty, as formulated in my proposed article, to render in the most direct and speedy manner possible that immigration unlawful.

I believe that if the Chinese of the objectionable classes once knew that they could not lawfully come to our country, and that if they did come against the provisions of the Treaty they could and possibly would be expelled as intruders - they would practically stop coming and the immigration, at least in its present proportion, would cease, almost from the adoption of the treaty. In short it

is

is my opinion that the force and moral effect, of such a treaty as I propose, would substantially stop the immigration even before Congress could pass laws ancillary as it doubtless would, to make the result certain.

But if it did not operate as I believe it would. Congress could still go on and perfect a system that would produce the desired effect or send away those who had come in violation of law quite as well under my article as under yours.

As for the point made — that to stop the coming of Chinese from the British port of HongKong a treaty must first

(be

be made with Great Britain. I will only say that I do not so understand it.

It is not claimed that the Chinese embarking at Hongkong are British subjects. They are Chinese who merely use that port as a convenient point for finding ships to transport them upon their voyage. I know of no treaty with Great Britain or any other power which confers the right upon any of its ports to ship, or its vessels to carry to this country any article or thing animate or inanimate which the Municipal law of the United States does not permit

(2

to enter or to remain in the country when brought.

British ships are accorded the right under existing treaties to engage in any lawful commerce between foreign ports and the ports of the United States. They may bring to our ports from foreign ports anything which the law of the land allows to come, in a word, anything which American ships or ships of the most favored nation may bring, and nothing more. To do more would be to surrender the sovereignty of the nation which I am sure has never been done.

It is true that until the law making power provides a

(penalty

penalty for bringing to the country any unlawful commodity or thing and this is true of passengers. English ships and all others might still engage in such transportation without danger. But, as I have before said, I do not belive that the objectionable immigrants would come under such circumstances being liable to expulsion at the will of Congress, and if they did so, Congress could as easily impose a penalty upon the ship or upon the immigrant under my plan as under yours, and as mine is the most speedy and does not delay or impede yours, it ought to be tried if possible.

Yours Truly
H. Lieb

Ack.

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No. 36. Two Enclosures.

Legation of the United States.

Peking, October 26th, 1880.

DEPARTMENT OF STATE
DEC 22 1880
RECEIVED

James B. Angell to the Secretary of State.

Subject.

Presentation of law books to China.

Synopsis.

At the request of Hon. David Dudley Field, certain volumes have been presented to the Chinese Government. Covers copies of the correspondence with Prince Kung.

Two Enclosures.

No 36.

Legation of the United States.
Peking, October 26th, 1880.

Honorable William M. Evarts.
Secretary of State,

Sir:—

On my departure for China the Honorable David Dudley Field put in my hands a copy of his International Code and copies of the Civil and Penal Codes of New York for presentation to Prince Kung and to the Imperial Library.

I enclose a copy of the note which I sent to Prince Kung 1/36.

Kung with the volumes, and
2/36 a copy of the Prince's reply.
It will be seen from the latter
that the volumes were received
with marked appreciation, and
that they have been placed
in the hands of the Professors
of the Peking College for a
translation into Chinese.

I have taken the liberty
to send to Mr. Field a copy
of the two enclosures above
noted with a letter informing
him of the disposition of the volumes.

I have the honor to be, Sir,
Your obedient servant.

James B. Angell

Enclosures

1. Mr. Angell to Prince Kung
No 80. October 15th, 1880,
2. Prince Kung in response
No 83. October 19th, 1880.

Despatch No. 36.
Enclosure 1.

80/1880 Mr. Angell to Prince Kung,
Peking, Oct. 15th, 1880.

Y. I. H.

In behalf of the Honorable David Dudley Field, a very eminent and learned lawyer of my country, I desire to place in your hands the accompanying — volumes to be disposed of by his request as follows,

1st. Three volumes, namely — a copy of the Civil Code of the State of New York, a copy of the Penal Code, and a copy of the Code of Criminal Procedure of the same state, presented to Your Imperial Highness.

2nd. Three volumes, the same as above, presented to the Imperial Library.

3rd. One volume, Outlines of an International Code, a work written by Mr. Field, presented to Your Imperial Highness.

(Should

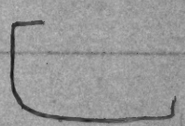
Should Your Imperial Highness or any of the learned scholars of China direct their attention to Western law, the Codes of New York will be found to embody in a very concise form the leading principles recognized in England and the United States. It is understood that Mr. Field has bestowed much labor upon these Codes

The International Code, I may properly say, has not been regularly adopted by Western nations in this form. But the principles here set forth are for the most part recognized and acted on by all Western powers in their intercourse with each other. It is thought by Mr. Field and by many eminent publicists that it is desirable that nations should formally agree to adopt some such Code, to which they may refer in deciding all questions of international discussion. Mr. Fields draft of such a code has attracted much attention and has been highly praised

praised by distinguished authorities in International Law. I commend it most warmly to the notice of Your Imperial Highness and of the statesmen of this Empire. We remember with pleasure that treatises of two of our countrymen, Dr. Henry Wheaton, and Dr. Woolsey, have been translated into your language and published under the auspices of this Government. It is to be hoped that this work of an American writer so distinguished as Mr. Field may also be thought not unworthy the attention of such of your learned scholars as seek to understand the spirit and purpose of Western International Law.

I have, etc,

(signed) James B. Angell.



Despatch No. 36.
Inclosure 2.

83/1880. Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication in reply.

I have had the honor to receive Your Excellency's communication of the 15th instant with which you forwarded to me, on behalf of the Honorable David Dudley Field, a very eminent and learned lawyer of your country — namely,

2. Sets of Law Books, containing each 3. volumes — and

1. Vol. Outlines of an International Code,

The former of these works, as Your Excellency says, will be found to embody in a very concise form the leading principles of law — (recognized

recognized in England and the United States, and the principles set forth in the "International Code" are for the most part recognized and acted on by all Western powers in their intercourse with each other.

These volumes have been forwarded to the "Tung wen kwan" (Peking College) to be translated, and I hereby beg to convey to the Honorable David Dudley Field, through your Excellency, my very hearty thanks for the books in question.

His Excellency James B. Angell,
etc — etc — etc — etc —

Peking, October 19th, 1880.

Jacket and approved January 3. 1881. Mr. Cox's approve. C. T.

made

No. 37. Eight Enclosures.

Legation of the United States.

Peking, October 27th, 1880.

DEPARTMENT OF STATE RECEIVED DEC 22 1880

James B. Angell to the Secretary of State.

Subject

Chinkiang wharfage dues scheme.

Synopsis.

Refers to Mr. Seward's despatch number 693. and encloses further correspondence. The project appears to have been abandoned.

No. 37. Eight Enclosures.

Legation of the United States.

Peking, October 27th, 1880.

Honorable William M. Evarts,

Secretary of State.

Sir:—

You will have learned from the despatch No. 693. (May 27th) of my predecessor of a proposition of the Customs Authorities at the port of Chinkiang to levy wharfage dues on commerce for the improvement of the port and for other specified purposes and of the prompt opposition of our Consul, Mr. Scruggs, to the plan.

On

On my accession to this office I found waiting my attention a despatch from Mr. Scruggs, dated July 10th, and covering a Memorandum of his in reply to one from the Taotai on the scheme above referred to. I enclose herewith a copy of his despatch and of the Memorandum, in which he sets forth with clearness the objections to the proposed plan.

1/37.

2/37.

I found here also another despatch from Mr. Scruggs, dated August 2nd, covering a printed copy of a Draft of "Regulations for the collection of contributions from hulks, goods, house and land-holders for the maintenance of

the

the river embankment, etc. at the port of Chinkiang". Copies of the despatch and the Draft are herewith forwarded. 3/37 4/37

August 20th I replied, expressing my hearty approbation of the course of the Consul and asking to be informed if any further steps were taken. My despatch is enclosed. 5/37

On the 18th of September, Mr. Scruggs informed me (see enclosure 6) that the Taotai had recognized the force of the objections raised to the proposed scheme and had also made a significant statement in confirmation of Mr. Scruggs's theory of the origin of the plan. 6/37

(I

I replied September 23rd
recognizing the Consul's efficient
action in the matter. I enclose
7/37. a copy of my letter to him.

A later despatch from the
Consul with two notices (copies
herewith enclosed) indicates that
the Commissioner of Customs has
not abandoned his objectionable
project, but that the British Consul
sees that he cannot be supported.

I have received no intimation
from any source that the matter
has been presented to the Authorities
here. If it is presented, I shall
regard it as my duty to maintain
the policy, which has been approved
in my correspondence with our
Consul, unless I am otherwise
instructed

instructed by you.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell

Enclosures.

1. Mr. Scruggs № 26. to Mr. Seward.
2. Memorandum accompanying above.
3. Mr. Scruggs № 27. to Mr. Seward.
4. Printed draft of Proposed Regulations.
5. Mr. Angell's № 2. to Mr. Scruggs.
6. Mr. Scrugg's № 32 to Mr. Angell.
7. Mr. Angell's № 3 to Mr. Scruggs.
8. Mr. Scrugg's № 33 to Mr. Angell

with two appended "Notices."

Despatch No. 37.
Enclosure. 1.

Mr. Scruggs to Mr. Seward.
No. 26. July 10th, 1880.

Sir:—

Recurring to the subject of my No. 25. of the 6th May last, I have the honor to enclose, herewith, for the information of the Legation, a copy of a Memorandum submitted, on the 8th instant, by the Taotai, and of mine of this date in reply thereto.

You will see from this correspondence that the scheme has not been abandoned, but that the Commissioner of Customs here, Mr. Kleinwächter, has induced his superior officer, the Taotai to submit a modified form of the original to the Treaty Consuls for their "consideration and approval."

It is a curious coincidence that the Inspector General of Customs should be a large property owner within the so called "British Concession"; and that Commissioner Kleinwächter, who boasts of his

(ability

ability to carry the scheme through at Peking, should be a member of the Municipality of this same "Concession".

I am Sir, etc. etc.

(signed) W. L. Scruggs.

Despatch № 37.
Enclosure 2.

Memorandum by the American Consul

There can be but one intelligent opinion touching the nature of special taxes on imports and exports at exceptional ports in China. None but a fair, uniform and reasonable Tariff is provided for by Treaty. Such a tariff has been established, incorporated into the very treaties themselves, and all charges and fees not therein expressely enumerated, are positively prohibited. (Br. Trs. 1843. 1858. & Arts. X & XXIV.; Arts. II. & V. Am. Tr, 1845; Art XV. Am Tr. 1859; also Tariff Rules adopted by the treaty powers.)

It is manifest therefore that any local scheme imposing "an additional tax" on imports and exports, no matter for what purpose, is unauthorized so long as existing treaties are in force. Hence, to begin with, the scheme submitted by the Chinkiang Customs, for raising a local "Improvement Fund," involves important modifications of treaty which can be appropriately discussed by the

(Treaty

Treaty making power only. The desire, so elaborately expressed, to improve the conveniences of navigation and commerce at this port, is most commendable. But there is an opinion prevalent among equally well disposed persons that these conveniences are already provided for; and that it only remains for the Inspector General of Customs to make such an appropriation of the tonnage fees, collected from foreign vessels at this port, as is contemplated by treaty, in order to accomplish the end desired.

So much for the proposed river improvements at Chinkiang. With respect to the city or port itself, the property owners therein are the immediate beneficiaries of any improvements they may have made, or may choose to make, of its avenues, streets, alley-ways, drainage and bunding. They reap an immediate return in the way of increased rents, or, in case of sale, in the enhanced value of their property.

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It is hardly just therefore, even were it legal, to tax the property, interest, and incomes of outsiders to pay for such improvements. I know it is denied that the proposed scheme contemplates this. But we must judge the plan by its own language, rather than by the opinions of its advocates. It provides for disbursements by an Executive Committee, composed of two Chinese and two foreigners, with the Commissioner of Customs as Chairman. Practically then the Commissioner is its Umpire; and is also, in the present case, a member of the Municipal Council of the so-called "British Concession". An appeal may be had to a Board of Control or Trustees, composed of the Taotai, the Treaty Consuls, and the Commissioner himself: But, in all such appeals, the British Consul is to be sole Umpire unless the question may be adjudged to involve interests outside the limits of the Concession. It is only on questions affecting interests outside

of

the limits of the settlement named, and then only when confined to the river margin, that the other treaty Consuls are to be consulted at all: and then, too, only in conjunction with their colleague having exclusive jurisdiction within the limits of the settlement.

We have then, in the plan proposed, the paradox of a most worthy gentleman appealing from himself as a member of one board or tribunal, to himself as a member of an appelate tribunal or board of direction! We have also an assumption of exclusive jurisdiction for one Consul where foreign interests are separate from Chinese, and concurrent jurisdiction in all cases where interests are in common between Chinese and foreigners of other nationalities than his own. There, it appears to me, are most extraordinary features in a plan professing to seek the best general interests of an open

(port

port: where all nationalities are supposed to be represented, and where citizens of all treaty powers enjoy extraterritorial privileges as to person and property, but where none but the Chinese have the right of eminent domain.

(signed) W. L. S.

Chinkiang, July 10th, 1880.

Despatch No. 37.
Enclosure 3.

Mr. Scruggs to Mr. Seward.
No. 27. August 2nd, 1880.

Sir:

With reference to the subject of my Nos. 25. and 26, of the 6th May and 10th July last, you will perceive from the English (revised) copy of the Wharfage Dues scheme, herewith inclosed, that, in the proposed Board of Trustees, there would be two Chinese votes to one each of the other nationalities represented. Also, that American interests within, as also in the majority of cases without, the so called "British Concession", would be wholly unrepresented; the British Consul in the one case, and the Chinese Magistrate in the other, having absolute and exclusive "control" on final resort. Even in the exceptional case provided for American representation, the jurisdiction is to be concurrent with the powers claiming exclusive jurisdiction elsewhere. Moreover, underlying the whole, is the old scheme for

(paying

paying a private indebtedness at the expense of the public. This of itself should insure its defeat, to say nothing of the unwarranted assumption of eminent domain, which if once admitted will seriously impair treaty rights and undermine the present system of commercial intercourse at the Chinese open ports.

I am, Sir, etc,

(signed) William L. Scruggs.

Inclosure 2/36
Despatch No. 37.
Inclosure 4.

DRAFT

OF

REGULATIONS

FOR THE

COLLECTION OF CONTRIBUTIONS FROM HULKS, GOODS, HOUSE AND LAND HOLDERS

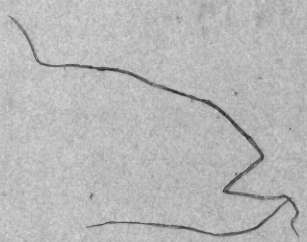
FOR THE

MAINTENANCE OF THE RIVER EMBANKMENT,

ETC., ETC., ETC.,

AT THE

PORT OF CHINKIANG.



PREAMBLE.

THE power of the River Yangtze at the port of Chinkiang is so great, the direction of the current so uncertain, the damage already done to the Bund so extensive, and the necessity for costly repairs so apparent, that there is no difficulty in agreeing with any expert who says that radical measures, and not mere patching, will alone repay either trouble or expenditure. The local public must first of all decide for itself on the alternative to be adopted, whether to retire or advance—whether to let the river have its way and accept the frontage it is most likely to leave undisturbed, or to wrest a Bund line from it and maintain it at all costs. Supposing its choice to be the latter—to advance,—the measures taken ought to be of an adequate kind and be carried out under proper professional superintendence. The funds for the outlay ought also to be provided locally, and no better scheme suggests itself than the collection of wharfage dues and their appropriation to the maintenance of the Bund and local improvements, supplemented by *pro rata* contributions from all landholders.

* * * * *

Such was the state of affairs, and such the opinion of a high authority expressed thereon, in 1875, when a considerable portion of the Chinkiang Bund had been undermined and had fallen into the river. Funds were then raised in anticipation of the adoption of some scheme as above suggested, but, owing to its failure, such repairs only were executed as were at the time found to be unavoidably necessary to make good the damage actually done.

The maxim that the way to anticipate trouble is to take timely precautions to prevent it had meanwhile to remain in abeyance till a more favourable opportunity to act on it offered, or until actual necessity demanded it.

Both these eventualities appear now to be before us. Though no damage of the same serious nature as in 1875 has occurred since that time, yet the damaging course of the river during the last five years has in no way abated, but has continued most steadily to cause serious apprehensions among the public generally, both Foreign and Chinese, tending to convince it that united action in the matter, though deferred before, cannot well be so any longer.

It is for these reasons that the annexed Rules have been drafted in consultation with the Taotai of Chinkiang, and, since they are calculated to protect the several interests concerned, it is hoped that they will recommend themselves to the ready acceptance of all, irrespective of classes.

F. KLEINWÄCHTER,
Commissioner of Customs.

CHINKIANG, *July 1880.*

RULE I.

As the current of the Yangtze at Chinkiang runs in whirlpools with great force straight against the south bank, by which deep holes have been scoured in the foreshore and much damage has been done in many places, it is necessary to devote funds as occasion arises to effecting repairs in order to prevent still greater damage.

If the general body of Foreign and Chinese merchants and the holders of houses and lands along the river bank will devise means beforehand to contribute funds for that purpose, the sums severally contributed by each would not be large, but the benefit to the trade of Chinkiang would be very considerable.

RULE II.

The contributions to be paid by hulks, goods, house and land holders will be under the general control of the Chinkiang Taotai, the Treaty Consuls, and the Commissioner of Customs, who will appoint a *Committee of Works*, to which two Foreign and two Chinese members are to be elected for the management of the same, in accordance with the Rules laid down, and who will have the right to consult as occasion may arise with the Commissioner of Customs.

The *Committee of Works* shall refer any disputed points—

a. If affecting work within the British Settlement, to H.B.M.'s Consul;

b. If affecting work without the British Settlement, to the Chinkiang magistrate; and

c. If affecting work of the river, foreshore, or bunding, to the Taotai or Treaty Consuls, according to their respective jurisdiction,

for settlement in accordance with the Regulations; failing which the *Committee of Works* will submit them to the Governing Board (Taotai, Consuls, etc.), who, in case of disagreement, will refer any such disputed points to their respective superior authorities.

The members of the *Committee of Works* will be elected every year, but will be eligible for re-election.

RULE III.

The foreshore, bunding, streets, and lanes to be kept in repair in accordance with these Rules extend along the Yangtze from the Sinho (新河) below Golden Island towards the east till the Siacha (小閘) Creek, below the China Merchants' Company's property.

The *Committee of Works* will consult the Customs Engineer-in-Chief or any other competent person as regards the repairs and their nature necessary in the different places of the foreshore, bunding, streets, etc., and report thereon to the Governing Board for their joint approval.

RULE IV.

The contributions will be collected at the following rates :—

a. *Hk.Tls.* 500 per annum from every hulk (cargo lighter or pontoon) moored upon the foreshore :

b. One-twentieth of 1 per cent. (*i.e.* *Tls.* 0.5.0.0 per *Tls.* 1,000) of the ordinary value of all Imports and Exports passed through the Chinkiang Custom House :

c. A sum not exceeding *Tls.* 8 per cent. (8 per cent.) per annum of the rentals of houses actually paid or assessed :

d. A sum not exceeding *Tls.* 5 per thousand of the value of houses and land built upon or not, as assessed.

The contributions collected from hulks and goods as under *a.* and *b.* will be exclusively applied to meet the cost of maintaining in repair the foreshore and bunding (Bund face), in which shall be included the cost incurred since 1875–76 in the construction or reconstruction of the Bund by the Customs, the landrenters of the British Settlement, and the French Missionary Society, which shall be repaid at the rate of one-tenth every year in equal proportions.

The contributions collected from houses and land as under *c.* and *d.* in the British Settlement will be handed over to be applied according to the Settlement Regulations, to meet the cost of maintaining in repair the Bund road, public jetties, streets, etc.; and the contributions collected from

Settlement

that source without the British [redacted] in like manner will be handed over to meet the same expenditure without the British Settlement.

Thus the money contributed from hulks and goods will be spent in repairing the foreshore and bunding without distinction as to place; but the contributions received from houses and land will be applied to the maintenance in repair of the Bund road, jetties, etc., according to locality wherefrom received, and for no other purpose.

Rule V.

The above-mentioned contributions from hulks, goods, houses, and lands will be collected by the Chinkiang Customs, under the joint supervision of the Taotai, Treaty Consuls, and the Commissioner.

Rule VI.

a. Merchants in their applications to the Custom House will insert the amount of the contributions payable (that is to say, such a weight, value, and such a rate), and before a Release Permit is granted the amount shall be paid and accepted as correct by the Customs authorities.

b. Before the 15th day of the Foreign month every year, each Foreign and Chinese house and land holder will make out a statement giving the monthly rental and place of the houses belonging to him, and similarly so the value of their property and where situate, and deliver the same at the Custom House.

On the 16th of that month a list of them will be sent to the Taotai and Treaty Consuls for their inspection, a copy of it being at the same time published for general information by hanging it outside the Custom House.

If within 15 days from that time no one complains of any false assessment, and there appears to be nothing wrong on examination, these statements will be accepted as forming the basis upon which the contributions will be collected. At any time report can be made of houses not being let, and therefore not having to contribute, or any other changes.

RULE VII.

The Taotai and Consuls will consult the Commissioner about the selection of a clerk, who will have special charge at the Custom House of all receipts and disbursements, and who will present a statement of the same monthly.

RULE VIII.

A complete statement of the total collection and expenditure will be published every year.

RULE IX.

The *Committee of Works* will before the 15th of the Foreign month every year prepare an estimate of the receipts and expenditure for the following year, for examination and approval by the Taotai, the Treaty Consuls, and the Commissioner, ere any money can be spent.

RULE X.

All roads and jetties will be open to public use and for landing and shipping goods.

In the event of landowners desiring to build stairways, jetties, or landing-places other than those now existing, the places must be approved by the *Committee of Works* and their permission be first obtained. So also if any householder bordering on the road wishes to make new drains or sewers. The expense must be borne by the persons concerned.

RULE XI.

These Rules will come in force from the 1st of the Foreign month year, and remain so for 10 years. If at the end of that term the rules are to be altered or the contributions to be no longer collected, either the Taotai or the Consuls must give public notice one year beforehand. The Bund, Bund roads, jetties, and streets, etc. which have been maintained will each belong to their own section for public use for ever. If no notice of termination be given before the expiry of the term, the Rules will remain in force, subject to one year's notice of termination.

RULE XII.

For the present it is proposed to repair the Bund, etc. from the Sinho (新河) to the Siacha (小閘) Creek. At a future date, if the funds permit, the holders of land and houses westwards as far as (the foot of) Golden Island, and eastwards as far as Kanlu-szŭ (甘露寺), will be allowed to come under the Regulations if they should desire it.

ESTIMATE

Of Cost for the Maintenance in Repair of the River, Foreshore, and Bunding between Garlic Hill and Sicha Creek, at the Port of Chinkiang, as per Reports received from the Customs Engineer-in-Chief.

SECTION.	Width in Feet.	Stone Rubble.				Bunding.
		To fill up Holes.	To cover One Foot thick.	Total.	Cost at $3 per Fang.	Cost at *Tls.* 20 per Foot.
		Fangs.	*Fangs.*	*Fangs.*	$	*Tls.*
I.—Garlic Hill to West of British Settlement.	300	310	475	785	2,355	6,000
II.—British Settlement	1,330	908	1,628	2,536	7,608	26,600
III.—Customs front.....	250	188	311	499	1,497	5,000
IV.—East of Customs to West Corner, Grand Canal.	350	128	551	679	2,037	7,000
V.—East Corner, Grand Canal, to Siacha.	1,050	275	1,533	1,808	5,424	21,000
Total.....	3,280	1,809	4,498	6,307	18,921	65,600
				$18,921 @ 68.5 % = *Tls.*		12,960
				Grand Total..... *Tls.*		78,560

ABSTRACT.

Without British Settlement:—Cost of Rubble, $11,313 @ 68.5 % = *Tls.* 7,749
Cost of Bunding ..... „ 39,000
Tls. 46,749

British Settlement:—Cost of Rubble, $7,608 @ 68.5 % = *Tls.* 5,211
Cost of Bunding ..... „ 26,600
Tls. 31,811

Total.....*Tls.* 78,560

F. KLEINWÄCHTER,
Commissioner of Customs.

Chinkiang, *July 1880.*

Despatch № 37.
Enclosure 5.

Mr. Angell to Mr. Scruggs.
№ 2. August 20th, 1880.

Sir:—

On assuming the duties of my office I find here despatches from you to my predecessor, Wm. Seward, as follows, № 26, (2 enclosures noted, (1) Memorandum from Taotai Shen, (2) Memo. by Mr. Scruggs. Memo (1) not forwarded) № 27, (one enclosure, "draft of Regulations" etc.; in print.

I take pleasure in expressing my approbation of the position you have taken in opposition to the proposed "Regulations". No such burdens as are proposed can be laid on our citizens under the Treaty Stipulations. I will thank you to advise me if an attempt is made to proceed further with the scheme.

Will you be good enough to send me a translation of the missing Memorandum of the Taotai and also another copy of the printed Regulations, that I may forward it

(to

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to the Department.

You must be in error in speaking of Mr. Seward's despatch of July 19th as unnumbered. The press-copy bears the number 70.

I am, Sir, &c

(Signed) James B. Angell.

Despatch No. 37.
Enclosure 6.

Mr. Scruggs to Mr. Angell,
No. 32. September 13th, 1880.

Sir:—

I am now assured by the Taotai here that he concurs in the objections to the "Wharfage Dues" scheme, set forth in my Memorandum of July 10th last, (see my No. 26, and enclosure).

After expressing gratification at this intelligence, I intimated some curiosity to know how it came about that he ever consented to bring such a scheme before the Consuls.

The reply was that he had been greatly importuned by the Commissioner of Customs who

(a)pained

assured him the American Consul only awaited such action in order to give the scheme his official sanction! I then caused the contents of my unofficial memorandum, to be submitted to the Commissioner on the 3rd May to last, to be interpreted to the Taotai. (see my No 25. of 6th May last)

"May I ask what Y.E. thinks now?" I enquired, "That the Commissioner has had this scheme much at heart." was the evasive reply. I forebore however to press the matter, after the repeated assurance of the Taotai that the scheme, in its present form, could never command his approval.

I am, Sir, etc.

(signed) William L. Scruggs.

Despatch № 37.
Enclosure 7.

Mr. Angell to Mr. Scruggs.
№ 3. September 23rd, 1880.

Sir:—

I am gratified to learn from your dispatch of September 13th (№ 32.) that the Wharfage Dues Scheme is not likely to be pressed, and to believe that this result is probably due in some degree to your lucid and forcible presentation of objections to it.

I am, Sir, etc.

(signed) James S. Angell.

Despatch No. 37.
Enclosure 8.

United States Consulate
Chinkiang, Sept. 14, 1858

Hon. James B. Angell
&c &c

Sir

In my Nos. 25, 26, and 27, and in subsequent dispatches on the same subject, I intimated that the scheme for "Additional taxes on Imports and Exports &c" at this point might be traced to a singularly selfish and unworthy origin. Divested of all redundant verbiage, its real purpose seemed to me to be.

1. To pay off a private indebtedness (incurred in making improvements of property within the so called British Concession) by a public tax; and
2. To continue such improvements at the expense of others than the owners and benefici-

aries of the property so improved.

In corroboration of this view of the case, I beg to refer
733 you to two Inclosures herewith.
433 One is a call for a meeting of the Municipal Council (of the so called "Concession") on the 23rd inst. The second is supplemental to the first; and your attention is particularly called to the last clause therein, which I have marked. H.B.M.'s Acting Consul here, now admits this awkward feature of the scheme; and has endeavored, as he himself assures me, to dissuade the Landrenters (or rather owners) within "the Concession" from further efforts to force it upon the consideration of the Diplomatic Agents at Peking.

Nevertheless the Commissioners

of Customs continues to press it, and has, I am informed, boasted of his ability to carry the measure, at Peking, over the head of all local opposition! It is difficult to account for this strangely persistent action, unless upon the hypothesis of a very uncharitable inference, drawn from facts alluded to in my No 26. of July 10th last.

I am, Sir,
Your obedient servant
William L. Scruggs

(Copy) Inclos No 1/33

Notice

A Landrenters meeting is hereby summoned for Thursday the 23rd inst., at 2 P.M., at which the following resolutions will be brought forward:-

1. That the Council be requested to make immediate arrangements to meet its liabilities for Interest on Debenture Bonds, which interest for the past two or more years has not been paid.

2. That the Council be requested to carry out the obligations confined on it by Rule II of the Land Regulations, in the matter of drains throughout the main roads of the Settlement.

3. In view of the impoverished state of the Councils Exchequer, and the urgent necessity for public works, the Council be requested to give explanation

to the Landowners and Leaseholders, who, during the past three years - including the present term - they have not collected any Taxes on properties which have been so carefully assessed by them.

4. That the Municipal Council be requested to lay before the meeting, full particulars of arrangements, if any made between them and the owners or representatives of the Hulks now anchored off the Concession.

5. That the last six words of Rule XXVIII, of the Land-Regulations, be altered from "Supreme Court for China and Japan" to "Consular Court."

(signed) T. L. Bullock
acting Consul

H.B.M's Consulate
Chinkiang
13. Sept. 1880

(Copy) Inclos No 2 | 33

Notice

A meeting of Landowners is hereby summoned (in continuation of that already summoned for the 23rd inst., at 2 P.M.) at which the following resolution will be proposed:-

"That no Taxes be raised on either Lots or Buildings, in the British Concession, Chinkiang, until the question of the liability of the Hulks stationed in front of said Concession to pay the sum stipulated for by the Municipal Council, be settled, and until the Scheme of Wharfage and other Dues be accepted or rejected by the Ministers of Treaty powers at Peking"

(Signed) T. L. Bullock
acty Consul

(no date).

One Enclosure.

Legation of the United States.

Peking, October 29th, 1880.

Chester Holcombe to the Secretary of State.

Subject.

Salary account.

Synopsis.

Forwards a duplicate statement of this account for the quarter ended September 30th, 1880.

One Enclosure.

Legation of the United States.

Peking, October 29th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Referring to my despatch of the 22nd instant, I have the honor to forward, herewith, a duplicate statement of my salary account for the quarter ended September 30th, 1880.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Secretary of Legation.

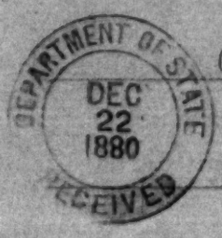
Enclosure.

Enclosure.

1. Salary account for quarter ended September 30th, 1880.

File

No. 10.



United States Commission.
Peking, October 29th, 1880.

The Commissioners to
the Secretary of State.

Subject.
Receipt of instruction.

Synopsis.
Instruction number 4. has
been received.

No 10.

United States Commission.

Peking, October 29th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

We have the honor to acknowledge the receipt of your instruction, number 4.

We have the honor to be.

Sir,

Your obedient servants

James B. Angell

Chas. E. Swift

Wm Henry Trescot

No. 38. Two Enclosures.

Legation of the United States.

Peking, October 29th, 1880.

James B. Angell

to

the Secretary of State.

Subject.

Transit allowance and salary accounts.

Synopsis.

Refers to despatch number 31. and forwards duplicates of these accounts.

No. 38. Two Enclosures.

Legation of the United States.

Peking, October 29th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Referring to my despatch number 31. I have now the honor to enclose duplicate statements of my transit allowance and salary accounts as then forwarded. 1/2/38.

I have the honor to be,

Sir,

Your obedient servant.

James R. Sayell.

Enclosures.

Enclosure.

1. Transit allowance account.
2. Salary account from August 9th, 1880. to September 30th, 1880.

File

No. 39.

Legation of the United States.
Peking, October 29th, 1880.

James B. Angell to
the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Department instructions numbers 29. to 35. inclusive have been received.

No. 39.

Legation of the United States.

Peking, October 29th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I have the honor to acknowledge the receipt of your instructions numbered respectively 29. 30. 31. 32. 33. 34. and 35.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell

Sent to War Dept Surgeon Gen'l Dec 27 1880 for Med & Surg Library

No. 40.

Legation of the United States.

Peking, October 30th, 1880.

DEPARTMENT OF STATE
DEC 22 1880
RECEIVED

James B. Angell to the Secretary of State.

Subject.

Customs Medical Reports.

Synopsis.

Forwards, under separate cover, two copies of this report for the half year ended March 31st, 1880.

No. 40.

Legation of the United States.

Peking, October 30th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I have the honor to transmit to you herewith, under separate cover, two copies of "Medical "Reports for the half-year ended "March 31st, 1880." as issued by the Inspectorate General of Customs.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell.

Ack & say that the expenditures were unauthorized by the Dept which therefore does not feel prepared to afford him relief as C. P.

W. Adee

Acted Dec 22. 1880. Wm. Cridler

Rec'd from Mr Holcombe March 13, 1881. Mr. Cridler

DEPARTMENT OF STATE RECEIVED DEC 22 1880

Legation of the United States.
Peking, November 1st, 1880.

Chester Holcombe to the Secretary of State,

Subject.

Excess of incidental expenses over allowances for 4 years ended June 30th, 1880.

Synopsis.

Refers to Hon. Seward's number 743. and states that Hon. Seward has refused to refund any portion of the amount in question — $872.34 to Hon. Holcombe.

Legation of the United States.

Peking, November 1st, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

Referring to Hon. Seward's despatch, number 743. of August 16th 1880., in which you were requested to authorize me to draw upon the Department for $872.34, being the excess of the expenditures over the allowances for the incidental expenses of this Legation for the four years ended June 30th, 1880., I deem it but justice to myself to inform you

you that, in case you are unable to allow her to draw as requested, I shall be forced to bear the loss of the entire amount myself.

In order that you may understand how this comes to be true, I beg leave to state that during the years of Hon. Seward's incumbency here as Minister, at his request I took entire charge of the incidental expense account, paying all bills as they accrued, and receiving the proceeds of the drafts upon the Department as they were from time to time negotiated. While I had no assurance from Hon. Seward, either

either verbal or written, that
he would be responsible to me
for at least a fair proportion
of any deficit which might
arise. I never for an instant
doubted his willingness to
assume such a responsibility,
in case the Department
declined to make the deficit
good.

When, however, upon the
eve of Mr. Seward's departure
from Peking, I called his
attention to this business, and
asked him to reimburse me
for a fair proportion of the
amount, he refused to do so,
and has reiterated his
refusal in letters received
from

from him from Shanghai and Yokohama.

It is not necessary for me to enter upon an argument to show the legitimate responsibility of Mr. Seward, as chief of this Legation for the entire amount in question. When the Government, some five years ago, made an appropriation of $3,000 for furniture for the Legation, Mr. Seward claimed two-thirds of the amount for his establishment — a claim which I readily admitted. It would seem but just that he should, at least, assume a similar proportion of this deficit

deficit.

I am not confident that this refusal of Secr. Seward to meet a just obligation to me, can or should affect the action of the Department in regard to the payment of the sum named, but I deem it but justice to myself to place this statement of fact before you, for such action as you may choose to take.

I have the honor to be,

Sir,

Your obedient servant.

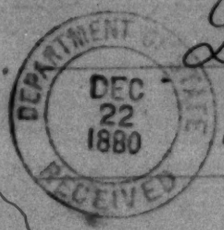
Chester Holcombe.

Ack & send copy further correspondence with Chinese Legation not already sent with copy of proclamation.
C. T.

acknowledged Dec. 30 88 Gilder

Mr. Gilder

No. 41. Five Enclosures.



Legation of the United States.

Peking, November 1st, 1880.

James B. Angell to
the Secretary of State.

Subject.

Chinese steamship "Ho chung."

Synopsis.

Refers to Department instruction number 28. and encloses copies of correspondence with Prince Kung. Further information has been asked from our Consuls and from Prince Kung.

No. 41. Five Enclosures.

Legation of the United States.

Peking, November 1st, 1880.

Honorable William M. Evarts,

Secretary of State,

Sir:

On the receipt of your No. 28. dated August 24th, 1880, directing me to make certain inquiries of the Chinese Government to ascertain whether in Chinese ports American ships and cargoes are subject to the same charges as Chinese ships and cargoes. I addressed to His Imperial Highness Prince Kung a note embodying the three questions you had

proposed

proposed to the Chinese Ministers
at Washington. I also addressed
to our Consuls in China a circular
with substantially the same
1/41 inquiries, copies of the note and
2/41 the circular are enclosed.

I have as yet received no
replies to the circular. The answer
3/41 of Prince Kung is herewith enclosed.

A perusal of the Prince's
communication at once gave me
the impression that it was
studiously framed to avoid, without
expressly saying so, all reference
to Chinese junks. You will observe
the sentences. "Vessels of a class
"pay one rate of duties. American
"vessels, whether loaded with
"American or other goods, in
the

"the open ports of China are
"undoubtedly liable to the same
"dues and duties as other vessels
"of the same class".

As it appeared from the paper itself that it was in fact the reply of Mr. Hart, the Inspector General of the Chinese Maritime Customs, I deemed it advisable to have an interview with him.

He spoke very frankly. He said he had drafted the reply with care and that no statements in it were intended to refer to junks, that there are two branches of the Customs service, the so-called Foreign Customs and the Chinese customs, (that

that the former takes cognizance of all foreign vessels and of Chinese vessels of foreign model and of Chinese steamers, that to the latter all Chinese junks and Chinese vessels not of foreign model report, that therefore officially he could not know what dues and duties are collected from the junks.

In reading the despatches of Mr. Avery to the Department, and especially his No. 65. June 13th, 1875. to Mr. Fish, I had perceived that in order to ensure the success of the China Merchants Steamship Company the Chinese Government did, at least at the outset, make a heavy discrimination in favor of

of the Chinese steamers as against foreign steamers in respect to ~ duties in coastwise trade. A letter from Russell & Co. accompanying that despatch and dated Shanghai, April 27th, 1875. gives an official statement from the Customs, saying - "for every 140 catties of tribute "rice conveyed the Chinese Merchants "& Co. are permitted to ship, free "of duty, dutiable exports of "any description to the extent "of 30 catties." The Foreign Board here admitted the fact, as appears in the report of Mr. Avery's interview with them.

I therefore reminded Mr. Hart of this, and asked him whether this exemption from

(duty

duty was still permitted to cargoes brought in the China Merchant's Company's steamers. He was unable to say positively, but assured me he would learn and inform me. It will naturally suggest itself to observe very carefully whether a similar policy is likely to be followed in assisting the steamship Company to compete with foreign companies in transporting goods to and from foreign lands.

Mr. Hart says he understood that the Regulations of the Imperial Board of Revenue require the levy of a duty of 7. or 8. per cent on goods transported in Chinese junks, (and

and the coastwise trade export duties of 2. or 3 per cent on goods and another levy of 7. or 8. per cent when they are landed.

It will be remembered that the import duty on goods brought in foreign vessels is 5 per cent, and the duty in coastwise trade nominally 5. per cent on exportation and 2½ per cent on arrival. It is correct to say, however that the usage differs in different ports in respect to the coastwise trade of foreigners.

As to tonnage dues on junks Mr. Hart says they are by law required to pay at every port they enter, whereas foreign vessels pay only once in four

(months

months. He believes the dues fixed by law on Chinese junks and the duties fixed by law on goods carried in Chinese junks lay heavier burdens on the Chinese than our treaty tariffs and our regulations lay upon foreigners.

But — and this is a vital point — he had not the means of knowing how the laws are executed.

Just there lies the difficulty in getting with accuracy the information which I conceive to be necessary for the guidance of the Department and the President. The Chinese Customs at the various ports are under the charge of the Provincial or local authorities. They are required to send up to

(the

the Imperial Government as
income from the customs certain
sums. In order to make sure of
meeting these requirements and
of securing a handsome sum in
addition for themselves, it is
the general belief of those most
familiar with affairs here that
in many cases concessions in
respect to the rate of dues and
duties are made to the Chinese,
in order to enable them to compete
with foreigners, and so bring the
trade to the Chinese Customs
rather than to the Foreign Customs.
I am assured that the course of
trade between HongKong and
Canton indicates this very clearly.
I shall hope that the reports

from

from our Consuls will furnish some light on this point. But facts are sufficiently notorious to suggest great caution on our part in accepting copies of laws or decrees as evidence of what dues and duties are actually levied by that branch of the Customs known as the Chinese Customs.

Since however the communication of Prince Kung says nothing of the treatment of junks, I have addressed him another note, herewith enclosed, inquiring what tonnage dues are levied on junks and what duties on their cargoes. I can hardly expect an answer in time for this mail. I trust that

4/41.

this

his reply and reports from some of our Consuls may be in hand before the departure of the next mail, and that I may then be able to furnish farther " information respecting the junks and also respecting the duties on cargoes of the China " Merchant's Company.

It is of course known to the Department that the China Merchant's Steamers can enter ports which are closed to us.

I enclose as of interest in this connection a copy, printed 5/41
in the (Shanghai) North China Daily News of September 30th, of the last Report of the China Merchant's Steam Navigation (Company

Company. You will notice the announcement of the intention to send another vessel, the "Meifu," on the return of the "Hochung", and also of sending other vessels, if profits are realized. The "Meifu" is now completed and has just made her trial trip.

I have the honor to be,

Sir,

Your obedient servant.

James R. Angell.

Enclosures.

1. Mr. Angell to Prince Kung.
   No 81 October 7th, 1880.
2. Circular of Mr. Angell to Consuls.
   October 11th, 1880.
3. Prince Kung to Mr. Angell.
   No 85. October 25th, 1880.

4. Mr. Angell to Prince Kung.

No. 87. Novem. 1st, 1880.

5. Newspaper copy of Report of China Merchant's S.N. Co.

Despatch No. 41.
Enclosure 1.

Mr. Angell to Prince Kung.
No. 81 October 17th, 1880.

Y. I. H.

I am informed by my Government that on August 9th last, Their Excellencies Chen Lan Pin and Yang Ying, in anticipation of the arrival of the Chinese steamer "Ho Chung" at San Francisco, presented a request that the same privileges might be extended to that vessel which are conceded to vessels of other nations in treaty relations with the United States.

My Government is desirous of discharging fully all its treaty obligations in respect to that vessel and the others which it is contemplated to send from China to the United States

States. In order to determine its action in accordance with the treaties and our laws it has instructed me to ask of the Government of this Empire for replies to the following questions.

First, are any other or higher tonnage dues exacted in the open ports of China from the vessels of the United States resorting thereto than are paid by Chinese vessels or any foreign vessels, engaged in like trade therewith?

Second, are any other or higher Customs, duties of import exacted, in China, from American citizens importing merchandise thither, than are paid by Chinese subjects or the citizens of the most favored

(power

power, importing the like merchandise into China? . . .

Third, is there any discriminating or additional customs duty imposed upon merchandise, whether of American or foreign origin, entering the open ports of China in vessels of the United States, which is not imposed upon the like goods entering those ports in Chinese vessels, or in vessels of any foreign power?

I shall esteem it a favor if you will give me the desired information at your early convenience.

I take this opportunity to renew to you my assurances of distinguished consideration

I have, etc.

(Signed) James B. Angell.

(L. S.

P. S. Question No. 2. is to apply also to merchandise exported from China by American citizens, and question No. 3. also to merchandise leaving the open ports of China in vessels of the United States.

Despatch No. 41.
Enclosure 2.

Mr. Angell to Consuls in China.
Circular October 11th, 1880.

Sir:-

The arrival of the Chinese steamer "Kochung" at San Francisco has raised important questions for our Government respecting the tonnage dues and import duties which shall be levied. In order to determine its course of action, the Government desires to obtain answers to the following questions, which I have addressed to His Imperial Highness Prince Kung.

First, are any other or higher tonnage dues exacted in the open ports of China from the vessels of the United States resorting thereto than are paid by Chinese vessels or any foreign vessels, engaged in like trade therewith?

Second, are any other or higher customs duties of import exacted, in China, from American citizens importing

importing merchandise thither, than are paid by Chinese subjects or the citizens of the most favored power, importing the like merchandise into China?

Third, is there any discriminating or additional Customs duty imposed upon merchandise, whether of American or foreign origin, entering the open ports of China in vessels of the United States, which is not imposed upon the like goods entering those ports in Chinese vessels, or in vessels of any foreign power?

I beg you to inform me at your early convenience what answer to these inquiries will describe not only the law, but also the practice of the authorities so far as you know, especially in your Consular district.

I am, Sir, etc,

(signed) James B. Angell.

P. S. Question No 2. is to apply also

to

to merchandise exported from China by American citizens, and question № 3 also to merchandise leaving the open ports of China in vessels of the United States.

Despatch No. 41.
Enclosure 3.

85/1880.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication in reply.

Upon the 17th instant I had the honor to receive a despatch from Y. E. stating that you are in receipt of information from your Government that the steamship "Hochung" of the China Merchant's Steamship Company was expected to arrive at San Francisco; that your Government is desirous of discharging fully all its treaty obligations in respect to that vessel and other Chinese vessels which may enter your ports; and that you are instructed to enquire of this Office whether, at the open ports of China other and larger export and import duties and tonnage dues are levied upon goods, the property of American citizens, or on board American vessels, or upon American vessels, than are levied upon Chinese or

(foreign

foreign vessels of any other nationality, etc.

These inquiries of Y. E. as to whether the duties and dues levied upon the vessels and cargoes of United States citizens differ from the duties and dues levied either upon the vessels and cargoes of the China Merchant's Steamship Co. or of vessels and cargoes the property of other foreigners were referred to the Inspector General of the Chinese Maritime Customs for a report. I am now in receipt of Mr. Hart's reply in which he informs me that sailing vessels and steamships owned by U. S. citizens pay, according to the treaties, in the open ports of China, the same tonnage dues and duties as Chinese steamers or as vessels of other nationalities. American merchants in the open ports of China pay the same import duties upon foreign goods export duties and coast trade duties upon native produce as Chinese and foreign merchants of other nationalities.

(Vessels

Vessels of a class pay one rate of duties. American vessels, whether loaded with American or other goods, in the open ports of China are undoubtedly liable to the same dues and duties as other vessels of the same class.

Speaking generally, at the open ports of China, the Customs, in dealing either with an American vessel, American merchants, or the cargo of an American ship, collect the dues & duties upon the basis of all the privileges and allowances granted by treaty, and there is no discrimination of any kind whatever.

It thus appears from Mr. Hart's responses to the inquiries of Y. E. that the vessels of American citizens pay in the open ports of China the same duties & tonnage dues as the vessels of Chinese subjects or of other foreigners without the least discrimination.

It becomes my duty to communicate this

this reply to Y. E. for transmission to your Government in order that Chinese vessels in entering your ports may be treated in accordance with treaty stipulations.

H. E. James B. Angell,
etc — etc — etc. etc,

Peking, October 25th, 1880.

Despatch No. 41.
Enclosure 4.

Mr. Angell to Prince Kung.
No. 87. November 1st, 1880.

I have the honor to acknowledge the receipt of the communication of October 25th in which Your Imperial Highness courteously gives me replies to the inquiries which I made on the 11th ultimo concerning tonnage dues on vessels and duties on goods.

After examination of these replies I find that information on two other points is essential for the guidance of my Government in its decision concerning vessels arriving from China in ports of the United States. I therefore take the liberty of asking if Your Imperial Highness will be kind enough to state to me.

First, what import duties, export duties, and coastwise duties do goods transported on Chinese

(junks

junks pay?

And secondly, what tonnage dues do Chinese junks pay?

Having regard to the interest of the China Merchant's Steamship Company as well as to that of my Government, I shall esteem it a favor to receive a reply at the early convenience of Your Imperial Highness.

With renewed assurances of distinguished consideration.

I have, etc.

(signed) James B Angell.

Despatch No 41.
Enclosure 5.

30TH SEPTEMBER, 1880.

REPORT OF THE CHINA MERCHANTS' STEAM NAVIGATION Co.

(Translated exclusively for the N.-C. Daily News.)

Report and accounts of the China Merchants' Steam Navigation Company from the 1st day of the 9th moon of the 5th year of Kwang Sü (18th August, 1879), to the end of the 6th moon of the sixth year (5th August, 1880), containing a sketch of the business of the Company and of its profits and losses.

I.—*The business of the Company and its future prospects.*—As stated in last report, the Company had an agreement with Messrs. Butterfield and Swire with regard to trade on the Yangtsze and at Ningpo, and fixed rates had been agreed upon with Messrs. Jardine, Matheson and Co. on the Tientsin, Chefoo, and Foochow lines. Unexpectedly, however, during the summer and autumn of last year, Messrs. Jardine, Matheson and Co. and Messrs. Butterfield and Swire entered into competition the one with the other. Messrs. Butterfield and Swire transferred their Newchwang and Swatow line of steamers to the Tientsin line, whilst Messrs. Jardine, Matheson and Co. afterwards added two steamers—the *Kung-wo* and the *Fuh-wo*—to the Hankow line. By this means the rates agreed upon were reduced, and the Company's rates had to fall accordingly. Our Chinese merchants vied in their eagerness to place the carrying trade at the various ports in our hands, and the Company's agents and employés did their best to act up to the new regulations of last year. Although during the period under review the freight receipts have fallen Tls. 300,000, it is assuredly a matter of congratulation to the shareholders that the profit and loss account shows a total of something over Tls. 670,000.

In last year's accounts the sum of Tls. 260,000 appeared as due to Messrs. Russell & Co., and the sundry deposits amounted to more than Tls. 624,000. In the present report the sum due to Messrs. Russell & Co. has been reduced to Tls. 60,000, and the sundry deposits to a little over Tls. 530,000; whilst a sum of Tls. 25,000 has been repaid to the Shantung Customs. Thus the debts of the Company have been reduced by more than Tls. 300,000. The Company's fleet was last year valued at Tls. 2,560,000; it is now valued at Tls. 2,240,000. The capital in public moneys now amounts to more than Tls. 1,900,000. When the steamers were transferred to the Company by Messrs. Russell and Co., Shên, the late Viceroy of the Two Kiang, was good enough to memorialise the Throne, and to request that the public moneys should become share capital, but as the high authorities did not agree on this point, they had to be put down as a deposit. The Huchow shareholders withdrew all their shares on the transfer of the fleet from Messrs. Russell & Co., so that the public moneys could not be refunded at that time. Now, however, outside debts are being paid off and measures for refunding the public moneys are to be taken so as to avoid the talk of Peking and of the provinces, and in order that the minds of the high provincial authorities may be set at rest.

In reply to a memorial from Li Hung-chang, permission has been given to the Company to carry an additional quantity of tribute rice every year beginning with the coming winter, and the freight earned thereon will be written off against the public moneys. A load has thus been taken off our shoulders, and the shareholders will be greatly benefited. The outside debts, which are not numerous, and the public moneys, which amount to a fixed sum, will thus be paid off. Our port trade has now been securely established, and foreign trade is our next move. It will be beneficial to extend our trade. Moreover, H. E. Li Hung-chang, Superintendent of Northern Trade; Shên, late Viceroy of the Two Kiang; Wu, Late Acting Viceroy of the Two Kiang; and H. E. Liu, the present Viceroy and Superintendent of Southern Trade, have again and again been good enough verbally to state their views as to the Company's trade being extended. We are to proceed step by step from small things to great. The Company's steamers at the river and sea ports are for the time being sufficient, but in order to establish a foreign trade larger vessels will have to be procured. In the autumn of last year, the s.s. *Hochung* was despatched for a trip to Honolulu and fair profits were realised. In the 6th moon of the present year she was again despatched to San Francisco by way of Honolulu. It has been resolved to build a large vessel, and she has already been named the *Meifu* by Li Hung-chang at the request of the Company. This vessel will, on her completion, and on the return of the *Hochung* to China, follow the same route, and the line will in future be a regular one. When profits are realised, other vessels will be added to the line. The Company's steamers should proceed to foreign ports where Chinese merchants are established. Profits will thus accrue both to the Company and the Chinese merchants. The shareholders will no doubt endorse these views. The high authorities of the provinces of Kiangsu and Chêkiang kindly entrusted to the Company the transport of 475,415 piculs of rice between the first of the 2nd and the end of the 5th moon. This was duly accomplished.

II.—*Number and Distribution of the Company's steamers.*—At the present time there are five steamers running between Shanghai and Hankow, namely, the *Kiangkwan*, *Kiangyung*, *Kiangpiau*, *Kiangching*, and *Kiangfoo*. With regard to the port of Ichang, the steamer *Kiangping* was first sent there, but she was found to be too small, and the *Kiangtung* was sent to relieve her. The *Kiangping* was then left at Shanghai to await employment. As the steamer *Tungting* has been constantly running between Canton and Macao, she had to go into dock for repairs, and in the 7th moon the *Kiangping* proceeded to take her place. The *Kiangteen* has been running between Ningpo and Shanghai, and the five ocean steamers, *Pautah*, *Fungshun*, *Hankwang*, *Haeting*, and *Haean*, have been plying on the Northern line. The *Yungning* has been running between Shanghai and Wênchow, and the *Haesan* to Foochow. The *Hochung* used to run between Shanghai and Swatow, but she has now gone abroad [to Honolulu and San Francisco], and another vessel has been sent to take her place. The *Chintung* used to run to the North, and during the winter of last year new machinery was put into her, whereby she saved one-third of her former consumption of coal, and carried 2,000 additional piculs. During the spring and summer, therefore, she assisted in carrying tribute rice, and during the autumn and winter she was sent to Canton. The four vessels *Yungching*, *Leeyuen*, *Yehsin* and *Haeshin* conveyed tribute rice during spring and summer, and ran to Swatow, Hongkong and Canton during the autumn and winter. The *Tahyew* has been converted into a screw, her machinery has all been renewed, and she is now running between Hongkong, Swatow, Amoy and Taiwan. The *Li-hang* is stationed in the Tientsin river to serve as a discharging hulk. In the autumn and winter of last year the *Meli* ran between Hongkong and Pakhoi; in the spring of this year she was transferred to the Tientsin river to serve as a rice hulk, and during the summer she ran between Newchwang and Chefoo. The *Fuyew* and *Hwaiyuen* are still running between Canton and Shanghai. In the third moon of this year, the steamer *Kangchi* was completed at the Foochow Arsenal and was despatched to Hongkong and the south. The above twenty-seven river and ocean steamers are all running. There only remains the *Paokong*, which was jointly bought by the Company and Messrs. Butterfield and Swire. This vessel is at anchor in the Shanghai river. The ship *Chêngta* was sent back to the Kiangnan Arsenal last winter.

III.—*Working expenses.*—From the 1st day of the 1st moon of last year new regulations were made, whereby the agents at the various ports were allowed five per cent. of freights realised at their respective agencies for working expenses. The rents of godowns, &c., are calculated according to the trade of the port and the surplus goes to the agency concerned. In the matter of expenses, therefore, no details are required; and the Company's public funds cannot be interfered with. This system has been found to work well; and not only have the expenses been less than in former years, but the trade has also increased. But there are some who by finding fault with the Company's expenses render people's minds uneasy. The directors do not know their meaning. According to the new regulations a limit was last year fixed to the working expenses of the various steamers. If the expenses were within the limit, rewards were given; if beyond, fines were inflicted for the sake of warning. This system has worked well. A comparison of the reports of this and the previous year will enable the shareholders to understand the affairs clearly.

IV.—*The Condition of the Steamers, &c.*—The expenses connected with the steamers, such as wages, insurances, dues, &c., are reckoned monthly; coal by the number of trips made, wharfage and other expenses according to the state of trade. There is a fixed limit for this class of expenses. In the matter of repairs, however, it is difficult to name a fixed sum. The faster a steamer goes the greater is the horse-power expended; the greater speed, the greater waste. Small repairs have to be attended to at once. They are of daily occurrence, and are included in the ordinary expenses for repairs which are drawn from the steamer freights. When extraordinary repairs have to be undertaken, however, such as a renewal of boilers, or when repairs incident on collisions have to be made, the expenses are paid from the Ship Insurance Fund. Numerous repairs of this latter class had to be made during the autumn of last year. The *Haean* collided with a steamer belonging to the Mitsu Bishi Co.; the *Hankwang* collided with the *Hwaiyuen*; the *Kiangteen* with a junk; the *Hochung* and the *Fuyew* also with junks. The *Pautah* ran on an anchor in the Tientsin river. These repairs were all defrayed from the above fund. Fortunately the first half of the present year has been free from mishaps, and not only has a sum been set apart for depreciation, but more than Tls. 100,000 have been placed to the Ship Insurance Fund. At the present moment the vessels are sound, and their machinery is in good order. There are only two, the *Kiangfoo* and the *Meli*, that require heavy repairs after the autumn. The machinery of the former is very good, but her body, which consists of American pine, is not very strong, and she cannot carry heavy cargoes. It is proposed to supply a stronger casing after the autumn when trade is slack. This will cost about Tls. 30,000, and Li Hung-chang has already approved this course. The *Meli* is a strong vessel, but her machinery and boilers are old.

They are, moreover, old-fashioned and her consumption of coal is too great. After the autumn, it is proposed to change her machinery and raise her deck. This will cost Tls. 20,000. The machinery and boilers of the *Chintung* have been renewed, as stated in a previous report. During the winter of last year the *Tahyew* was converted into a screw, and all the machinery and boilers were renewed, at a cost of Tls. 29,765. Her repairs were completed during the 5th moon of the present year, and her name was changed to the *Hingshing*. A great saving of coal has been effected in this steamer, and her carrying capacity has been largely increased.

V.—*Statement of Accounts.*—Although the Company has been in the habit of submitting its accounts to their Excellencies the Northern and Southern Superintendents of Trade for their inspection, and to the Taotais of Shanghai and Tientsin, and although copies have been sent by the Central Office to the branch agencies at Tientsin, Hankow, Fuhkien, Kuangtung, Hongkong, and Singapore for the information of the shareholders, yet it is to be feared that there are some who, whether owing to distance or to business, have no time to proceed to the agencies to hold a careful inspection. It is our duty therefore to make the accounts as clear as possible. In the last report the capital in shares amounted to Tls 800,600; shares to the value of Tls. 29,783 were afterwards bought, making a total of Tls. 830,300. The chief holders of the new shares are Chinese merchants in Siam, Honolulu and San Francisco. When the total value of the shares reaches Tls. 1,000,000 the list will be closed. With regard to the public moneys, they were stated in last report to amount to more than Tls. 1,928,800; but in the eighth moon of last year, a sum of Tls. 25,000 was repaid to the Shantung Customs, leaving a balance of only a little over Tls. 1,903,800. The Insurance Fund exceeds the previous one by more than Tls. 37,000. With regard to the amount due to Messrs. Russell and Co., a sum of Tls. 200,000 has been paid off leaving a balance of Tls. 60,000 still due. This latter sum will also be cleared off at the end of the 8th moon of the present year. The sundry deposits amounted, as stated in last report, to over Tls. 624,000; they now amount to a little over Tls. 533,000, from which it will be seen that a sum of more than Tls. 91,000 has been paid off. With regard to the fleet, which last year numbered 29 vessels and was valued at more than Tls. 2,560,000, there are now 28 vessels, valued at more than Tls. 2,240,000. The *Chên-si* has been sold.

Taku and Tientsin were last year connected by a telegraph wire, and a coal godown was built at Kiukiang. Little was done at the other ports. The net profits from the following vessels, the *Yungching*, *Leeyuen*, *Hochung*, *Fuyew*, *Yehsin*, *Pautah*, *Fungshun*, *Kiangkwan*, *Kiangyung*, *Chintung*, *Haean*, *Haeshin*, *Haeting*, *Haean*, *Kiangteen*, *Kiangpiau*, *Kiangching*, *Kiangfoo*, *Yungning*, *Hwaiyuen* and *Hankwang* amounted to more than Tls. 660,000. The losses on the following steamers, the *Hingshing*, *Kiangtung*, *Meli*, *Tungting*, *Kiangping*, *Paokong*, *Kangchi* and the *Chéngta* amounted to more than Tls. 36,000. There was a further loss of Tls. 14,000 leaving a total balance of over Tls. 610,500. These losses are accounted for by the variability of the freights and because the freights on tribute rice were reduced thirty per cent. The godown rents exceed those of last year by Tls. 25,000. Last year sundries amounted to Tls. 108,000, whilst this year they amount to Tls. 48,000. The reason of this decrease of Tls. 60,000 lies partly in the reduction of freights on tribute rice and the appropriation of 30 *cash* on each picul of rice as a contribution to the Tientsin famine relief. A sum of Tls. 25,000 has been lost on this account. The decrease is also accounted for by a falling-off in rents and to increased hire owing to the competition that has existed. The repairs to godowns were almost the same as during the preceding year. A balance of Tls. 9,580 for rice transport did not appear in last accounts owing to a part of this sum having been appropriated for naval expenses. The expenses connected with hulks, &c., for last year were, according to the new regulations, included in the working expenses of the fleet, and do not therefore appear in the accounts.

VI.—*The Managers of the Company.*—The superintendence of the grain transport in the Company's steamers since its establishment was first entrusted to Chu Yün-fu assisted by Chu Yi-fu. Shipping affairs were placed in the hands of Tang Ting-chü and Hsü-jun. Both sides were officially assisted by Shêu Hing-sun. In June, 1878, Chu Yün-fu died, and Yeh Kuchih was deputed by Li Hung-chang to superintend the grain transport and assist in the general business of the Company. In February, 1879, new regulations were made, whereby the agents at the ports were to manage the business of their respective agencies and be master of the employés of the Company. In June, 1879, Chu Yi-fu was appointed Acting Taotai of Yung-ting, and in November or December, 1879, Shêu was appointed Acting Taotai at Hochien and Tientsin. These two officials, therefore, have no time to come and assist us. The grain transport having been completed in the autumn of last year, Yeh obtained leave to take care of his mother, who is old and suffering. He has not yet returned. We, Tang Ting-chu and Hsü Jun-kow, transact the business of the Company. We might consult Yeh Kuchih, Chu Yi-fu and Shêu Hing-sun upon any matter that turns up, but the two latter officials are far from each other, and it is not right to allow the business of the Company to interfere with their official duties. With regard to Yeh, he has not yet returned and we cannot trouble him. Besides, consultation would cause delay. We must take the duty upon our own shoulders, and carry out the regulations to the best of our ability. We must go on unmindful of the remarks made regarding our management of the Company's affairs, and in looking after its affairs protect the interests of our friends so that Government debts may be repaid and the Company may not lose, and embarrassment may be avoided. When the Government debts have been paid off, we will request that capable men may be placed in charge.

Capital Account.

Dr.

To Capital in Shares	830,300.0.0.0
,, Capital in Public Moneys..	1,903,868 3.2.5
,, Insurance Fund.....	619,848 6.3.6
,, Due Messrs. Russell & Co.	60,000 0.0.0
,, Sundry Deposits	533,028.9.0.3
,, Ship Insurance Fund	101,357.4.5.7
,, Balance	17,997.9.9.3
Total, Tls.	4,066,401.3.1.4

Cr.

By Pending Freights	344,513.4.6.3
,, Stores of Coal.....	43,232.9.0.6
,, Various Articles	19,454.9.4.5
,, Value of 28 Steamers	2 241,400.0.0.0
,, Godowns and Wharves ..	1,097,800.0.0.0
,, Steam Launches, Hulks and Iron Cargo-boats.....	180,000.0.0.0
,, Hemp Bags, Machinery, Furnaces and Docks	140,000.0.0.0
Total, Tls.	4,066,401.3.1.4

Profit and Loss.

Dr.

To Balance in hand on running Steamers		610,517.9.4.8
,, Balance Godown Rent.....		83,634.2.8.4
,, ,, Sundries		48,357.3.5.8
Total, Tls.		742,509.59.0
Less—		
Repairing Godowns	18,430.5.2.8	
Godown expenses...	41,360.5.5.2	
Balance of Freight on Rice Transport	9,580.3.1.0	
	69,371.3.9.0	69,371.3.9.0
Total, Tls.		673,138.2.0.0

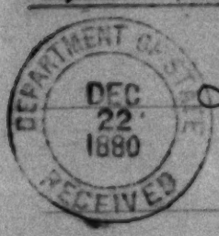
Cr.

By Dividends	168,558.2.5.0
,, ,, on Shares.....	82,194.6.9.4
,, Capital expended	404,387.2.6.3
	655,140.2.0.7
Balance in hand carried to next Account	17,997.9.9.3
Total, Tls.	673,138.2.0.0

Ack.

made

No. 42. Two Enclosures.



Legation of the United States.
Peking, November 2nd, 1880.

James B. Angell to
the Secretary of State.

PRINTED
FOREIGN RELATIONS
1881

Subject.

The Wooseung Bar.

Synopsis.

Covers a memorandum from the Foreign Office in opposition to dredging the Bar, also a letter from Consul General Hemmy showing the obstruction of the Bar to our shipping

No 42. Two Enclosures.

Legation of the United States.

Peking, November 2nd, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

My predecessors have had frequent occasion to inform the Department of the embarrassments which our commerce in common with that of other nations has for years been suffering from the existence of the Wooeung Bar at the mouth of the Shanghai river. They have also advised the Department of the earnest efforts which have been

(made

made by the Shanghai Chamber of Commerce, the foreign Consuls at Shanghai, and the Diplomatic representatives at PeKing to induce the Chinese Authorities to dredge the bar or at any rate to permit the foreign powers to do so with the proceeds of a light levy on the commerce of Shanghai.

Some months ago in one of the Diplomatic Conferences held here Sir Thomas Wade was instructed by the Diplomatic Corps in their behalf to present to the Foreign Office an urgent request to permit them to order the improvement of navigation at the bar and pay for the

(work

work by collecting light dues from the vessels which sail to and from Shanghai. In no way was the Chinese Government to be burdened, though Chinese vessels were like others to pay the dues required.

To this request the Foreign Board have replied in a paper, which I enclose. The weakness, not to say puerility of the statements, most of which it would be absurd to call arguments, will strike you at once. I need not delay to comment on them. 1/42.

The Diplomatic conferences which were found last spring to be so serviceable, were resumed on the 25th ultimo. Among the

(subjects

subjects considered was that of the Woosung Bar. This paper of the Tsung li Yamen was thought by all to be so feeble as to call for no formal reply. Sir Thomas Wade was instructed to renew and urge his request.

It is well understood that the real reasons why the Chinese authorities object to the dredging of the Bar are twofold. First, they dislike any innovation. An immense power of inertia has to be overcome to gain their assent to any change. Secondly, they regard the Bar as a natural defence of Shanghai against the war vessels of heavy draught,

(and

and especially against the ironclads. They speak of it as "a heaven-sent barrier". A noteworthy article in one of the Chinese newspapers of Shanghai lately spoke of the proposition to remove the Bar as a profane suggestion to interfere with the will of Heaven.

Of the heavy burdens which the existence of the Bar lays upon vessels of deep draught there is overwhelming proof. Some very valuable and interesting figures are given in a recent despatch from Consul General Denny, which I enclose. There would 2/42.
of course be no need of arguing with any Western nation to

(induce

induce it to permit the improvement of the access to its principal port. But it is by no means certain that the present attempt of the Diplomatic Body will meet with early success. Even when permission has been received, time and money will be needed to make a careful examination of the river and the bar. For it is by no means certain exactly what the best remedy for the trouble is. The best engineering talent of the West should be employed to make a careful study of the problem. It seems to me highly probable that some considerable annual expenditure will always be necessary

necessary.

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell.

Enclosures

1. Memorandum of the Tsung-li-Yamên on the Wooseung Bar.
2. Mr. Denny to Mr. Angell, on the same subject.

Despatch No. 42.
Enclosure 1.

The Woosung Bar

Memorandum from the Minister of the Tsungli Yamen forwarded to Sir Thomas Wade in a semi official Note dated October 5th 1880

The Memorandum on the dredging of the river at Woosung forwarded some time since in a note from the British Minister was at once communicated to the Minister Superintendent of Southern Trade for consideration.

A reply has now been received from His Excellency stating that this question was the

subject of numerous discussions and proposals some years ago, none of which it was possible to give effect to. A further suggestion having now been made for the levy of an additional tax to meet the cost of the labour [requisite for dredging the bar], the Minister has made it the subject of thorough investigation, in order to ascertain whether there are or are not objections to the plan, and has also questioned the Taotai at Shanghai on the matter. This officer has replied at length, pointing out that there are a multitude of difficulties which render it

impossible to attempt to acquiesce in the arrangement proposed. and submits the following reason for the conclusion he has come to.

The silt and sand of the Pu's River at Woosung is the deposit of many hundred years. Large vessels belonging to foreign merchants that are heavily freighted have always been free to lighten, the privilege of lightening being accorded by Treaty with the express object of meeting the case of shoal water [at the bar]. But the text of the Treaty mentions lightening only, and contains no reference whatever

(1) The Chinese name of the Shanghai River

to dredging with a view to avoid lightening. Large foreign vessels can all avoid getting aground by loading less heavily: or they can wait for a tide to proceed on their way; or if they do not follow either of these courses, it is open to them, if they please, to lighten as permitted by the regulations.

An abrupt decision to set to work to dredge [the bar] in the interest only of those foreign Merchants who own large vessels with the object of carrying large cargoes and wish to save the expense of lightening, is not only a condition of things never

contemplated by the Treaty, but also does not seem to be consistent with reason. The Taotai has never heard of the silt that has accumulated at Woosung, having blocked up the channel during the hundreds of years it has existed.

"The bar [serves a double object.] Without, it keeps back the muddy water brought up by the tide; within, it keeps back the water of the Poo River upon which all the arable land on either shore is dependent for purposes of irrigation. Directly the Bar is cleared, the silt-brought-

in by the tide will be carried on to the fields, whereby much damage will be done.

Again. the numbers of junks that lie inside the river select shallow places for an anchorage where they wait for the tide to proceed on their way, and arrangement with which they are satisfied. If the water is deepened in mid-stream, the waves caused by foreign vessels as they go in or out will create a strong wash that will come rushing straight in, rendering it equally impossible for Chinese craft to stay where they are or to proceed, and many accidents

will be sure to occur. Poor
agriculture and navigation
are matters of vital importance
to the Chinese people which
cannot be disregarded, and
it may be seen from the
conditions explained above
that the unwillingness
of the Chinese Government
to dredge the Poo River does
not in any way proceed from
a reluctance to incur the
expense; for even if special
funds were provided to meet
this expense the river could
nevertheless not be dredged.
The proposal to raise an
additional tax in order to
meet the cost of this work

need not. Therefore, as a matter of fact, be taken into consideration. But even if the consideration of the question of levying an additional tax were for the moment admitted. There are still numerous obstacles to the plan which render its adoption impossible. These objections the Taotai will proceed to set forth in detail. The question of the necessity or otherwise of dredging channels in the inland waters of China is one which it is entirely for China herself to decide. Moreover in her compassionate consideration for mercantile interests she imposes taxes that

are lighter than any other
countries can boast of, and their
interests would suffer instead
of deriving benefit by an
increase of taxation such as
is now proposed in the interests
of those foreign merchants who
own large vessels. All the
foreign vessels that enter the
port are not large ones, nor
do all owners of produce
charter large ships for its
conveyance. It would therefore
be a gross injustice to force
all Chinese and foreign
merchants alike to provide
funds for the benefit of the
few individuals or firms who
own large vessels because they

want to carry large cargoes
and save expense.

At a general estimate, by
a tax of one per mil on the
value of all produce imported
into or exported from Shanghai,
an additional revenue could
be raised of T.ls 125.000 per
annum. This tax is to be
levied on Chinese and foreigners
alike, and the Taotai has
recently heard that even ——
amongst the foreign Merchants
there are some who object to
its imposition, whilst native
Merchants have never considered
the question of the bar at all.
so that if the latter are also
called upon to pay an extra

duty in common with foreign merchants it is impossible that they should willingly consent. and [under these circumstances] how could the authorities bear to compel them to do so. Therefore even if the possibility of dredging the bar were admitted the question of increasing the duties could not be considered. How much less when the bar neither can nor must be dredged!

Sir T. Wade, who is as well acquainted with Chinese and foreign matters, must be thoroughly aware of the impossibility of carrying out this arrangement. If these

foreign Merchants who own the few large steamers that visit the port, would consider the conditions of the Woosung Bar and adapt their cargoes to these conditions, their vessels might, as a matter of fact, come and go quite comfortably; or, if they do not [choose to adapt their cargoes to the depth of the water], they may wait for a tide to get in, or lighten as permitted by the regulations. These have been the courses adopted by Merchant vessels ever since the commencement of foreign trade, and the Taotai presumes that it cannot be Sir. T. Wades, idea

to force China to effect an impossibility, or to go against the wishes of the majority of the mercantile class, because there is a sudden desire to dredge the accumulated silt of several hundred years in the interest of a few foreign firms who own large vessels and are anxious to save the cost of lightering.

The Yamen have to observe that the various points brought forward by H. E. the Superintendent of Trade for the Southern Ports are, in effect a true representation of the state of the case, and they imagine that the British

Minister, who has been in China so many years, will thoroughly understand [the grounds of the objections]

This Memorandum is offered in reply [to the one] prepared by the British Minister in hope that he will give it his careful attention.

Despatch No. 42.
Enclosure 2

Mr. Denny to Hon. J. B. Angell
Oct. 9th. 1880.

As the Honorable Commission which was created and sent out by the Government of the United States with a view to modifying the Treaties with China is now prosecuting its labors at Peking. I have thought that perhaps a few figures and comments in addition to those forwarded by the Consular Body and Shanghai Chamber of Commerce to different Foreign Ministers early in April last looking to the conservancy of the Woosung Bar to the end that foreign shipping and foreign trade with Shanghai

might be relieved from some of the burdens at least which are now put upon it might not be considered out of place.

The gradual silting up of this bar has been for some years a source of much annoyance as well as great expense to vessels visiting Shanghai grievances have repeatedly been complained of by Masters of merchant vessels from time to time. Not only this but Merchants and business men here have through their Consuls and the Chamber of Commerce presented to the Diplomatic Body the most urgent reasons why some steps should be

taken to check the progress of an enemy which is day by day placing additional obstacles in the way of commerce in its effort to reach the Commercial center of the East. These efforts have been greatly strengthened and encouraged by the foreign Ministers, who have been exerting themselves to induce the Chinese Authorities to sanction the removal of this obstruction. But thus far no satisfactory results have been attained by them. One sickly excuse after another, even to profanity itself - in calling this obstruction

a "Heaven sent barrier" etc.-
has been put forward by the
Peking Government in response
to their unanswerable arguments.
And this will probably
continue to be the case unless
there is a united demand
made upon the Government
by the representatives of the
Treaty Powers for such a
concession. as a partial #
equivalent for the large sums
of tonnage dues paid to it
annually by foreign shipping
seeking an entrance to this
port. In fact it was for just
such objects as this that the
collection of Tonnage dues
were provided for in the Treaties.

and if these dues are to be diverted from the purpose for which they were intended. the right to collect them should be questioned. There are at present in this harbour six American sailing ships all of which were compelled upon their arrival at this bar to incur the expense of lightering The deepest drawing 22 feet- The following table which I have carefully prepared from facts and figures obtained from the Masters of these vessels will give you some idea at least of the expense which the shipping to this port in such ships is now

compelled to insure.

Ships	Tons	Tonnage dues	Insurance	Total Expenses
"Brown Brothers"	1493	$ 907.61	876-	1783.61
"Paul Jones"	1258	764.77	355.50	1120.27
"Sir Gallant"	1280	778.13	1037-	1815.13
"Blue Jacket"	1396	848.65	670	1518.65
"Henrietta"	1267	770.23	778	1548.23
Mayflower	862	524.02	880	1404.02
	7586	4593.41	45.96.50	9.189.91

From the above statement it will be seen that while these vessels paid tonnage dues after arriving in port in the ~~~~ aggregate of $ 4.593.41. the extra Expenses they were put to in crossing the bar amounted to $ 4.596.50 which added to

the tonnage dues makes the total expenses for these six ships $9.189.91: and when we come to carry these burdens to the entire shipping of the port they become enormous.— From the 30th September last year to the 30th September this year, the Customs have collected Tonnage dues amounting to about $360.000, about one half of which is at this port; and it is safe to say that not- $50,000 of this sum is expended annually in adding to the shipping facilities of the harbour. Taking the foregoing table as our guide, then

is to be added to the dues collected at this port at least $180.000 expenses incurred by vessels at the bar which makes the respectable sum of $360.000 annual tax upon this interest in order to reach Shanghai:

The expense to the Chinese Government in dredging this bar to a depth that would freely permit - with seriously high tides - vessels drawing 22 to 23 feet to pass, would not be comparatively great: at all events, once the obstructions removed the labour afterwards would be easy. Suppose however that it should require all of the tonnage receipts

for one or even two years to accomplish this important work, certainly the Chinese authorities owe this much at least, to an interest which has paid them millions of dollars in the past and will yet pay them millions more.

During the past summer it has frequently occured that out going ships have been compelled to cross the bar and take cargo afterwards.

On yesterday the steamer "Indus" belonging to the P and O line went out over the bar for this purpose, and to morrow one of the British Kishi steamers will

pursue the same course:

The expenses attending the shipment of cargo under such circumstances must be great.

Should the instructions of the Commission preclude the consideration of such questions as this, I trust the facts I have here given bearing upon the subject may be some use to you in urging with your colleagues its consideration by the Peking Government.

Copy of

made

No. 11. Five Enclosures.

DEPARTMENT OF STATE
DEC 22 1880
RECEIVED

United States Commission.

Peking, November 3rd, 1880.

The Commission to the Secretary of State.

PRINTED FOREIGN RELATIONS

Subject

Proceedings of the Commissions.

Synopsis.

Reports proceedings since the despatch of number 8, and covers a treaty project submitted by the Chinese, and a counter project submitted by this Commission.

No. 11. Five Enclosures.

United States Commission.

Peking, November 3rd, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

Our despatch number 8. of the 23rd October 1880, brought the history of our negotiation down to the interview, of that day, with the Chinese Commissioners and briefly summarized its result. We now have the honor to enclose a full precis of the conversation on that occasion. 1/11.

When that precis was

was submitted to the Chinese
Commissioners, we asked for
an interview, (which was
appointed for the 31st ultimo)
in a note, a copy of which
2/11. will be found enclosed.

The conference was
held on the day appointed,
and at its opening the Chinese
Commissioners submitted to
us the project of a Treaty,
3/11. a translation of which will
be found herewith. This being
in Chinese we could only
gather its general purport
from a rapid translation by
Mr. Holcombe. Mr. Lescot, on
behalf of the Commissioners,
informed the Chinese

Commissioners

Commissioners that we would take it into consideration, but that we could and ought to say at once that there were ~~two~~ some points which were inadmissible, and could not be received by us even for consideration. The first was the limitation of the provisions of the Treaty to Chinese immigration into California. To this the Chinese Commissioners replied that such was not their intention, but as they had been led to suppose from all they heard that objection to such immigration existed chiefly if not only in California, they had suggested this

this form in order that its discussion might lead to a better understanding.

The second point was the provision that the limitation of such immigration should be confined only to the prevention of the entry of Chinese labor, and should not impose penalties or disabilities of any kind upon such immigrants. Mr. Prescot said that this provision was too obscure, and seemed to involve questions not within the scope of the present discussion. The right to prevent immigration, without the use of such means as the

Government

Insert this

another point

~~The other point~~ was the exclusion of "artisans from the class of Chinese laborers ~~specified~~ where immigration was forbidden by the present provisions. In reference to this Mr Prescott stated that ~~without further argument~~, it was an inadmissible limitation upon ~~the~~ that definition of Chinese laborers which had been suggested by the U. S. Commissioners

Government of the United States might deem judicious and necessary to enforce the prevention, was scarcely worth considering.

To this objection the reply of the Chinese was not precise enough for accurate report, but their apprehension seemed to be that such power of prevention might be made to justify or excuse unfavorable legislation by the States against such Chinese immigrants as might be found within their borders.

It was deemed best by the United States Commissioners not to do more at this interview than signify their great disappointment

disappointment at the scope and tenor of the Chinese project, and to reserve a full review of its provisions until it had been translated.

After full consideration, the United States Commissioners drafted a counter project with
4/11. observations which they sent to the Chinese Commissioners by Mr. Holcombe, as Secretary of the Commission. This was accompanied by a note of instruction to Mr. Holcombe,
5/11. a copy of which will be found enclosed. The result of his interview was the appointment of a meeting to be held at an early day, the language of the Members

of,

of the Yamen being such as to indicate the prospect of a satisfactory conclusion.

It may be well to state here that, in all our conferences, there have been present, besides the two Commissioners, other members of the Yamen, making the Chinese representation never less than four, and oftener six. The discussions, as far as they had practical point, were conducted to a large degree by Shen, a member of the Privy Council, and one of the oldest and most influential of the Yamen, and Hang, who, although the

Youngest

youngest member, has the reputation of being one of the most distinguished statesmen of the country. The discussions were, however, often very general and participated in by all those present.

We have the honor to be,

Sir,

Your obedient servants,

James B. Angell.

Jeremiah Taft

Wm Henry Trescot

Enclosures.

Enclosures.

1. Precis of the conversation of October 23rd ult, 1880.
2. Note to the Chinese Commissioners. 86/1880. October 27th ult, 1880.
3. Chinese treaty project.
4. Counter project with comments by United States Commission
5. The Commission to Mr. Holcombe November 2nd ult, 1880.

Despatch No. 11.
Enclosure 1.

Précis of a conversation had between the United States Commissioners and the Chinese Commissioners on Saturday, October 23rd, 1880.

Mr. Trescot on behalf of the U. S. Commissioners - said That they had received the Memorandum of the Chinese Commissioners on the Project submitted, and thanked them for the promptness of their reply and the friendly spirit which marked it. That as to the first article it was as the Chinese Commissioners said only a summary or recapitulation of the provisions of existing Treaties on the subject of the emigration and residence

residence of the citizens of either country in the other. The article was suggested simply under the impression that as the object of the present negotiation was one branch of immigration, it would be as well to make any treaty now negotiated a complete treatment of the whole subject. But if the Chinese Government preferred to leave the provisions standing as they now do in several treaties and confine this negotiation to the immigration of Chinese labour, the U.S. Commissioners would not object and would not of course press any further consideration of the first.

(Article

article.

That as to the second article, the U.S. Commissioners want some fuller explanation of the meaning of the language used in the Chinese Memorandum. The Memorandum says. "At the "moment we are only prepared "to negotiate for a mode of "limitation, having in mind "the interests of both Governments. "We are entirely ready to negotiate "most carefully with Y. E. E. to "the end that a limitation, "either in point of time or of "numbers, may be fixed to the "emigration of Chinese laborers "to the United States." The United States Commissioners would like

like to have a more definite statement of what such limitation meant, and how it was proposed to carry it into effect.

The Chinese Commissioners replied that they had informed the Secretary of the Commission, verbally, that there would be difficulty in their accepting the word "prohibition" used in the second article and assuming that the word "regulate" would cover generally the other words "limit and suspend" they had suggested this limitation in hopes of learning from the U. S. Commissioners what their idea of limitation was and

(they

they would like to hear.

Mr. Trescot replied — that the U.S. Commissioners were not quite prepared to say because, as the article they had submitted was a distinct proposition, they had been led by the language of the memorandum to suppose that the proposition for limitation in time and numbers was a substitute for that article and not a response to it and that they had therefore expected that the Chinese Commissioners would be prepared to explain it in some detail.

The Chinese Commissioners said, They did not intend a their proposition to be considered (as

as a substitute for Article II.
or in any sense an ultimatum
on the part of the Chinese
Government. They rather intended
it to induce a free discussion of
the subject so it should be
thoroughly understood. By
limitation in number they meant
for example that, the United
States having as they supposed
a record of the number of
immigrants in each year as well
as the total number of Chinese
now there, that no more should
be allowed to go in any one
year in future than either
the greatest number which
had gone in any year in the
past, or the least number which

(had

had gone in any year in the past, or that the total number should never be allowed to exceed the number now there. As to limitation in time they meant, for example that Chinese should be allowed to go in alternate years, or every third year, or, for example, that they should not be allowed to go for 2, 3, or 5. years.

Mr. Prescot replied. That the U. S. Commissioners feared there was some misunderstanding on the part of the Chinese Commissioners as to the meaning of Article II. The U. S. Government did not ask the Chinese Government to regulate, limit, suspend, or prohibit immigration, but to leave

(that

that to the discretion and action of the U. S. Government itself. That under the Burlingame Treaty as construed in practice, the Chinese had the absolute right in any numbers to come to the United States. This had caused trouble and embarrassment. What the U. S. Government asked was that the Chinese Government should consent to such a modification of the Burlingame Treaty as would enable it, without raising unpleasant questions of treaty construction, to exercise that discretion. The reasons why the United States Government should be allowed to do this,

(rather

rather than to impose the task upon the Government of China are manifest. If undertaken by China it would necessitate complicated regulations, the appointment of special officers at each port to enforce them, and, failure to enforce the rules on the part of the local officers would raise questions between the two Governments. Besides, as the Memorandum of the Chinese Commissioners states, they could only apply to the ports of China while the larger portion of emigrants go from HongKong and Singapore. It is far easier to prevent them from entering the United States

than

than to prevent their leaving China.
If the United States had the
right it would most easily find
the power to accomplish this
result by appropriate legislation.
They thought it best for the
friendly relations and the interests
of both countries, that the
United States should have the
right to limit, suspend, and
prohibit and to enforce such
limitation or prohibition by
their own laws, in their own
ports, without imposing further
responsibility upon China.

The Chinese Commissioners
asked if the U. S. Commissioners
could give them any idea of
the laws which would be passed

(to

to carry such power into execution.

Mr. Trescot replied that this could hardly be done. It would be as difficult to say what would be the special character of any act of Congress as it would be to say what would be the words of an edict of the Emperor of China to execute a Treaty power. That two great nations discussing such a subject must always assume that they will both act in good faith and with due consideration for the interests and friendship of each other. That the U. S. Government might never deem it necessary to exercise this power. It would depend upon circumstances. If Chinese

(immigration

immigration concentrated in cities where it threatened public order, or if it confined itself to localities where it was an injury to the interests of the American people the Government of the United States would undoubtedly take steps to prevent such accumulations of Chinese, If on the contrary there was no large immigration, or if there were sections of the country where such immigration was clearly beneficial, then the legislation of the United States under this power would be adapted to such circumstances. For example there might be a demand for Chinese labor in the South, and a surplus of such

(labor

labor in California and Congress might legislate in accordance with these facts. In general the legislation would be in view of and depend upon the circumstances of the situation at the moment such legislation became necessary. The Chinese Commissioners said this explanation was satisfactory - that they had not intended to ask for a draft of any special act, but for some general idea how the power could be exercised. What had just been said gave them the explanation which they wanted. And they asked that it might be given to them in writing. Mr. Prescot replied that a précis of the

(entire

entire conversation would be given to them. They further remarked that they were satisfied that if any special legislation worked unanticipated hardship, the Government of the United States would listen in the most just and friendly spirit to the representations of the Chinese Government through their Minister in Washington.

Mr. Prescot expressed the gratification of the U. S. Commissioners at this confidence which was not misplaced. The U. S. Government had been very careful of the feelings of the Chinese Government. They had not like some of the English

(colonies

colonies undertaken to settle this matter absolutely by their own legislation. Congress had passed the Fifteen Passenger Act — which the President had vetoed, not because he did not feel very strongly the difficulties — consequent upon the present condition of the question, nor because he did not regard — unrestricted Chinese immigration as a great evil, but in order that this Commission might first be sent to find in — consultation with the Chinese Government, a friendly and fair adjustment. That the Chinese Commissioners must be aware that the subject was one of

(great

great popular interest in the United States and had been the theme of excited and even angry comment in Congress. And it was much to be feared that if the Commission failed to reach a satisfactory solution, the Government might be forced by the difficulties of the situation to take the question into its own hands and abrogate the Burlingame Treaty. The Government did not desire this but only sought a certain elasticity of action under the Treaty as the exigencies of the situation might demand. The U. S. Commissioners thought it would be a most fortunate thing for the

the continued friendship of the two countries, if they could communicate a satisfactory conclusion of these negotiations to their Government before the next meeting of Congress in December. That as for the special words to be used, the U. S. Commissioners would receive with the utmost consideration any suggestions from the Chinese Commissioners but it would be very gratifying if an agreement could be reached as to the principle of the article which they had submitted.

The Chinese Commissioners said. The Commission might be assured that China did not

(in

in any way mistrust the motives and purpose of the United States, nor for an instant doubt that the Government of the United States would act with entire fairness towards the Chinese. If the Government and people of the United States had treated Chinese laborers as they had been treated elsewhere, the Government of China would be anxious that their people should not go thither. China would never forget that it was the Government of the United States through its representatives abroad that first called the attention of the Government of China to the cruelties to which its

(subjects

subjects were subjected in Cuba and elsewhere. They appreciated fully the spirit in which the United States Government had treated the subject, that the U.S. Commissioners might be assured that they had but one purpose and that was to reach at an early period a satisfactory solution of the question and that such solution might be certainly anticipated so that the U.S. Commissioners would not be detained by the closing of navigation - and they asked that a précis of this conversation might be furnished them.

Despatch No. 11.
Enclosure 2.

86/1880. The Undersigned, the U. S. Commissioners, have the honor in conformity with the request of their Colleagues, the Chinese Commissioners, to enclose for their consideration a précis of the conversation had at the interview of the 23rd instant, which they hope will be found correct.

In doing so the U. S. Commissioners cannot refrain from expressing their gratification at the spirit in which the discussion was conducted and the fair and just view taken by the Chinese Commissioners of the representations submitted to their consideration.

Feeling that there is every reason to hope for a satisfactory solution of the questions they have now considered with their Colleagues, the Commissioners of the United States without pressing unduly upon the time and other engagements of the

Chinese

Chinese Commissioners, would ask that as both parties are now fully in possession of each others views, as early an interview as possible may be accorded them, in order that they may take joint action with their Colleagues upon the definite proposition contained in Article second of the projet.

We have the honor, etc,

(signed) James B. Angell.
" John F. Swift.
" Wm. H. Trescot.

Peking, October 27th, 1880.

Despatch No. 11.
Enclosure 3.

Treaty project from Foreign Office.

Whereas in the 8th year of Hsien Feng, A.D. 1858. a treaty of peace and friendship was concluded between China and the United States, and to which were added in the 7th year of Tung Chih, A.D. 1868., certain supplementary articles to the advantage of both parties, which supplementary articles were to be perpetually observed and obeyed: —

and

Whereas the Government of the United States, because of the constantly increasing immigration of Chinese laborers to the State of California, and the embarrassments consequent on such immigration, now desires to negotiate an adjustment of the existing treaties which shall not be in direct contravention of their spirit:

Now therefore, the Government of China has appointed

as its Commissioners Plenipotentiary, and the Government of the United States has appointed

as its Commissioners Plenipotentiary, and the said Plenipotentiaries having conjointly examined their full powers, have discussed the points of possible modification in existing treaties and have agreed upon the following articles in temporary modification.

Article I. The United States in regulating the immigration of Chinese laborers to California, will limit the number who may enter the ports of the State, but will not prohibit such immigration. Only such Chinese will be included in this limitation as are found, after careful examination at the time of their entry into the ports of California, under rules to be established by the United States, to be actual laborers.

Any

any regulations for limiting such immigration shall only be of such a nature as to hinder the entry of immigrants of the class specified to the ports named, and shall not impose disabilities of any other kind or class upon such immigrants.

Article II. Chinese who may be desirous of proceeding to any other part of the United States for purposes of labor excepting only the state of California, shall be allowed to go of their own free will and accord. Persons of all other classes with the exception of actual Chinese laborers whose immigration into California will be temporarily regulated and limited by the United States, whether proceeding to California as teachers, students, travelers, traders, or artizans, as well as all Chinese laborers now in that state will be allowed to go and come with entire freedom, and will not be included

(in

in the limiting regulations.

Article III. If Chinese laborers now either permanently or temporarily residing in the state of California meet with ill treatment at the hands of any other persons, the United States will exert all its power to devise measures for their protection, and to secure for them the same privileges, immunities, and exemptions as may be enjoyed by the citizens or subjects of the most favored nation, and to which they are entitled by treaty.

Article IV. The limitations to be placed upon the immigration of Chinese laborers will be temporary in their nature. The number of immigrants allowed by the regulations will not be excessively small, nor the term of years excessively long. Such regulations will apply only to Chinese laborers

(at

at work for and employed by American citizens. All other classes may go and come to and from the State of California and their servants and employées whether accompanying them or following them shall not be included in the limiting regulations.

Article V. The Government of the United States will prepare regulations in the spirit of the foregoing articles and communicate them to the Chinese Minister at Washington for his consideration. If there are points in such regulations which need modification, they will be brought by the Chinese Minister at Washington to the notice of the Secretary of State and be adjusted. The Chinese Foreign Office may also bring such points to the notice of the United States Minister at Peking and adjust them in concert with him, to the end of securing mutual

(advantage

advantage, and avoiding injury to either party, and thereafter such regulations will go into effect.

Article VI. The two Governments having agreed upon the foregoing articles, copies have been prepared in each language and signed, sealed and exchanged by the respective Plenipotentiaries. They will however go into effect only after their ratification by the Governments concerned.

Despatch No. 11.
Enclosure 4.

Treaty project submitted by the United States Commissioners, November 2nd, 1880.

Whereas in the 8th year of Hsien-Feng, A. D. 1858., a treaty of peace and friendship was concluded between China and the United States, and to which were added in the 7th year of Tung Chih, A D. 1868, certain supplementary articles to the advantage of both parties, which supplementary articles were to be perpetually observed and obeyed,

And whereas the Government of the United States, because of the constantly increasing immigration of Chinese laborers to the territory of the United States, and the embarrassments consequent on such immigration, now desires to negotiate an adjustment of the existing treaties which shall

(not

not be in direct contravention of their spirit:-

Now therefore the Government of China has appointed

as its Commissioners Plenipotentiary, and the Government of the United States has appointed

as its Commissioners Plenipotentiary, and the said Plenipotentiaries having conjointly examined their full powers, have discussed the points of possible modification in existing treaties and have agreed upon the following articles in modification.

Article I. Whenever, in the opinion of the Government of the United States, the coming of Chinese laborers to the United States, or their residence therein, affects, or threatens to affect, the interest of that country, or to endanger the good order of the

(said

said country, or of any locality within the territory thereof, the Government of the United States may regulate, limit, or suspend such coming or residence, and the words Chinese laborers are herein used to signify all immigration other than that for teaching, trade, travel, study, and curiosity.

Article II. Chinese subjects whether proceeding to the United States for purposes of teaching, study, travel, curiosity or trade, with their body servants, shall be allowed to go and come with entire freedom.

Article III. If Chinese laborers now either permanently or temporarily residing in the state of California meet with ill treatment at the hands of any other persons, the United States will exert all its power to devise measures for their protection,

(and

and to secure to them the same privileges, immunities, and exemptions as may be enjoyed by the citizens or subjects of the most favored nation, and to which they are entitled by treaty.

Article IV. The Government of the United States will communicate to the Chinese Government the legislative measures adopted by it in accordance with the provisions of the foregoing articles, and, in case such measures work unexpected hardship to Chinese subjects, will give the fullest consideration to such representations as the Government of China may see fit to make in the premises.

In faith whereof the Respective Plenipotentiaries have sealed and signed the foregoing at Peking, in English and Chinese being three copies of each text of even tenure and date.

Dispatch No. 11.
Enclosure 5.

U. S. Commission

Peking,

Nov 2nd 1880

Chester Holcombe Esq

Dear Sir

You will receive with this a Memorandum containing the views of the Commissioners as to the Projet of Treaty submitted to our consideration by the Chinese Commissioners.

You will submit it to them in order that they may be prepared for a discussion of our points of difference at the next interview.

In your conference with them we think

it would be advisable without a formal expression of our opinion which we reserve for an interview - to impress upon them your conviction that our project goes as far in the way of concession as we can go and the stipulation of Art. 1. is the least that we can accept in fulfilment of our instructions

(Signed)

James B. Angell

John T. Swift

Wm H. Yaresh

The U. S. Commissioners have received and considered the Projet of a Treaty from the Chinese Commissioners.

They submit a counter projet with the following observations.

1. The U. S. Commissioners are willing to consult the wishes of the Chinese Government in preserving the principle of free intercourse between the people of the two countries as established by existing Treaties provided that the right of the U. S. Government to use its discretion in guarding against any possible evils of immigration of Chinese Labourers is

distinctly recognized.

Therefore if such concession removes all difficulty on the part of the Chinese Commissioners (but only in that case) the U.S. Commissioners will agree to remove the word "prohibit" from their article and to use the words "regulate, limit or suspend".

The Chinese Commissioners have in their project explicitly recognized the right of the U.S. Government to use some discretion and have proposed a limitation as to time and number. This is the right to "regulate, limit or suspend" but it is

accompanied in the Project by conditions which cannot be accepted. The U.S. Commissioners think that the Chinese Government ought to assume that this right will be exercised by the U.S. Government in a friendly and judicious manner but it would be entirely useless to the U.S. Government without the power of using it when and how in the judgment of the Government it ought to be used. Consultation and conference between the two Governments upon every occasion when it might be necessary or upon every detail in

the method of its use would be so inconvenient as almost to be impossible.

2. The U. S. Commissioners feel it their duty to insist upon their definition of Chinese labourers - viz - "the word Chinese labourers are herein used to signify all immigration other than that for teaching, trade, travel, study and curiosity, herein before referred to and provided for in existing treaties".

They cannot consent that artizans shall be excluded from the class of Chinese labourers for it is this very competition of skilled labour in the cities where the Chinese labour.

immigration

immigration concentration which has caused the embarrassment and popular discontent they wish to avoid. But they are willing to adopt an article providing that the classes who are authorized to come to and reside in the U.S. shall bring the servants who are necessary to their convenience.

3. The U.S. Commissioners cannot consent to the limitation that Chinese labourers excluded shall be those only who are employed by American citizens. This so far from being a check upon such immigration would be simply a prohibition of the use of Chinese labour by

the American citizen. Every other person that is any and every resident, French, English, German, Chinese, would have the right to bring into the country and use such labour in direct competition with the American citizen. The U.S. Commissioners can scarcely think that this proposition was fully considered by the Chinese Commissioners.

4. The U.S. Commissioners would further call to the attention of the Chinese Commissioners, the necessity of correcting all those phrases in their Treaty project which would seem to confine the negotiation to

Chinese immigration into California, As they intimated at the last interview, they could not even take into consideration a Treaty so limited in its scope and they have proceeded with the examination of the project upon the assurance they received that no such limitation was intended by the Chinese Commissioners.

No. 43. One Enclosure.

Legation of the United States.

Peking, November 4th, 1880.

James B. Angell to

the Secretary of State.

Subject.

Incidental expense account.

Synopsis.

Forwards a statement of this account for the quarter ended September 30th, 1880.

No. 43. One Enclosure

Legation of the United States.

Peking, November 4th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have the honor to transmit herewith a statement of the incidental expense account of this Legation for the quarter ended September 30th, 1880. A duplicate statement will follow by the next mail. 1/43.

I have the honor to be,

Sir

Your obedient servant.

James B. Angell

Enclosure.

Enclosure.

1. Incidental expense account for quarter ended September 30th, 1880.

See Dip. Bureau's Report No. 16. of Apr. 17. 80

Instruction to Mr. Holcombe, granting Leave of Absence July 14, 1880 Mr. Cristler

See Mr. Angell's No 411. Nov. 6. 80.

Legation of the United States.
Peking, November 6th, 1880.

Chester Holcombe to
the Secretary of State.

Subject.

Leave of absence.

Synopsis.

Mr. Holcombe refers to his letter of January 30th, 1880, to the instruction of the Department of April 22nd, and to his letter of July 28th 1880. and renews his request for leave of absence, and asks that answer be given by telegraph.

Legation of the United States,
Peking, November 6th, 1880.

Honorable William M. Evarts.
Secretary of State.

Sir:-

Referring to my despatch of January 30th in which I requested leave of absence with permission to visit the United States; and to your instruction in response dated April 22nd, in which for reasons stated you declined to grant my request, I beg leave now to renew my application for leave with permission to visit the United States in March, 1881.

1881, or as near that period as circumstances and the condition of public business will permit.

In support of this application I have the honor to submit that the special objections named in your instruction of April 22nd, already referred to, will have disappeared. The Commission now here hopes to finish its business in a very few days, the new Minister will have been at his post eight months, and so familiarized with the business of the Legation as to render my presence no longer a necessity. For myself I shall then have been in China twelve years, though in fairly good health I greatly

(need

need a change, and family
matters imperatively demand my
presence in the United States at
an early moment.

As stated I desire to leave
here early in March and to
return to my post in the following
autumn.

In order to accomplish
this I must beg that in case
you are able to respond favorably
to my request, you will telegraph
me to that effect, as by the
ordinary course of mails I could
not receive your response in season
to make the necessary arrangements
for leaving in March.

And in conclusion I beg
to recall your attention to my
despatch

despatch of July 28th, 1880, in regard to the payment of a substitute during my absence and to bespeak for it your most considerate regard. The amount of money involved is not large, yet it is sufficiently large to be of practical importance when considered in connection with my very moderate salary. I trust the Department will be able to provide means for the payment of a substitute during my absence without putting that burden upon me.

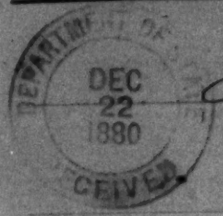
I have the honor to be,
Sir,
Your obedient servant.
Chester Holcombe

4

Instruction No. 44 to Holcombe granting leave of absence for two months from date. Feby 14 1881. Hen. Cutler

No. 44 dep. of this date (6 to Nov. 80)

No. 44.



Legation of the United States.
Peking, November 6th, 1880.

James B. Angell to
the Secretary of State

Subject.

Mr. Holcombe's request for leave.

Synopsis.

Refers to Mr. Holcombe's despatch of even date, and advises that his request for leave of absence be granted.

No 44.

Legation of the United States,
Peking, November 6th, 1880.

Honorable William M. Evarts,
Secretary of State,

Sir:—

Mr. Holcombe has read to me his application for leave of absence next year.

It must be admitted that by his long and faithful service he has well earned the right to ask for a short release from his duties here. Therefore, although both personally and officially I shall much regret his absence, I cannot but

(recommend

recommend the favorable
consideration of his application.

I have the honor to be,

Sir,

Your obedient servant.

James R Ryder

For perusal by the Secretary
C. P.

Copy ale

made

No. 12. One Enclosure

United States Commission.

Peking, November 6th, 1880.

DEPARTMENT OF STATE
DEC 22 1880
RECEIVED

The Commissioners to
the Secretary of State.

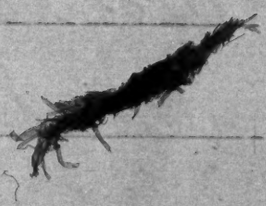
PRINTED.
FOREIGN RELATIONS.
1881

Subject.

Treaty upon Chinese immigration.

Synopsis.

Forwards a copy of the Treaty which has been agreed upon, and which will be signed in a few days, with brief comments.



No. 12. One Enclosure.

United States Commission

Peking November 6th, 1880.

Honorable William M. Evarts,

Secretary of State,

Sir:—

We have the honor to inform you that we have to day agreed with the Chinese Commissioners upon the articles of a treaty, a copy of which will be found 1½ enclosed, and which will be formally signed in a very few days.

We have scarcely time to make such comment upon this Treaty as we desire, but it is so

simple

simple as to explain itself.

The Chinese Government recognized, at an early period of the negotiation, that the United States had a right to ask for such modification of the Burlingame Treaty as would relieve it from the embarrassment of an undue and disproportionate immigration of Chinese labor into the United States.

This principle once admitted, as it was frankly, we felt it our duty to afford every facility to the Chinese Government to reconcile this admission to the requirements of their position towards their own subjects.

The

" The essential point was
that the United States should
have the right "to regulate, "
"limit, or suspend" the "
immigration of Chinese "
labor, without absolutely "
abrogating the treaties by which
immigration into the United
States was recognized, and
this we think will be found
amply provided for in Article
I. We desired, as you will
see by the precis of the "
negotiation, to define with "
more precision, exactly what
all the negotiators on both
sides understood by "Chinese
"laborers". But the Chinese
Government was very "
unwilling

unwilling to be more precise than the absolute necessity called for, and they claimed that in Article II. they did by exclusion provide that nobody should be entitled to claim the benefit of the general provisions of the Burlingame Treaty but those who went to the United States for purposes of teaching, study, mercantile transactions, travel or curiosity. We have no doubt that an Act of Congress excluding all but these classes, using the words of the Treaty, would be fully warranted by its provisions, and as this was a clear and sufficient

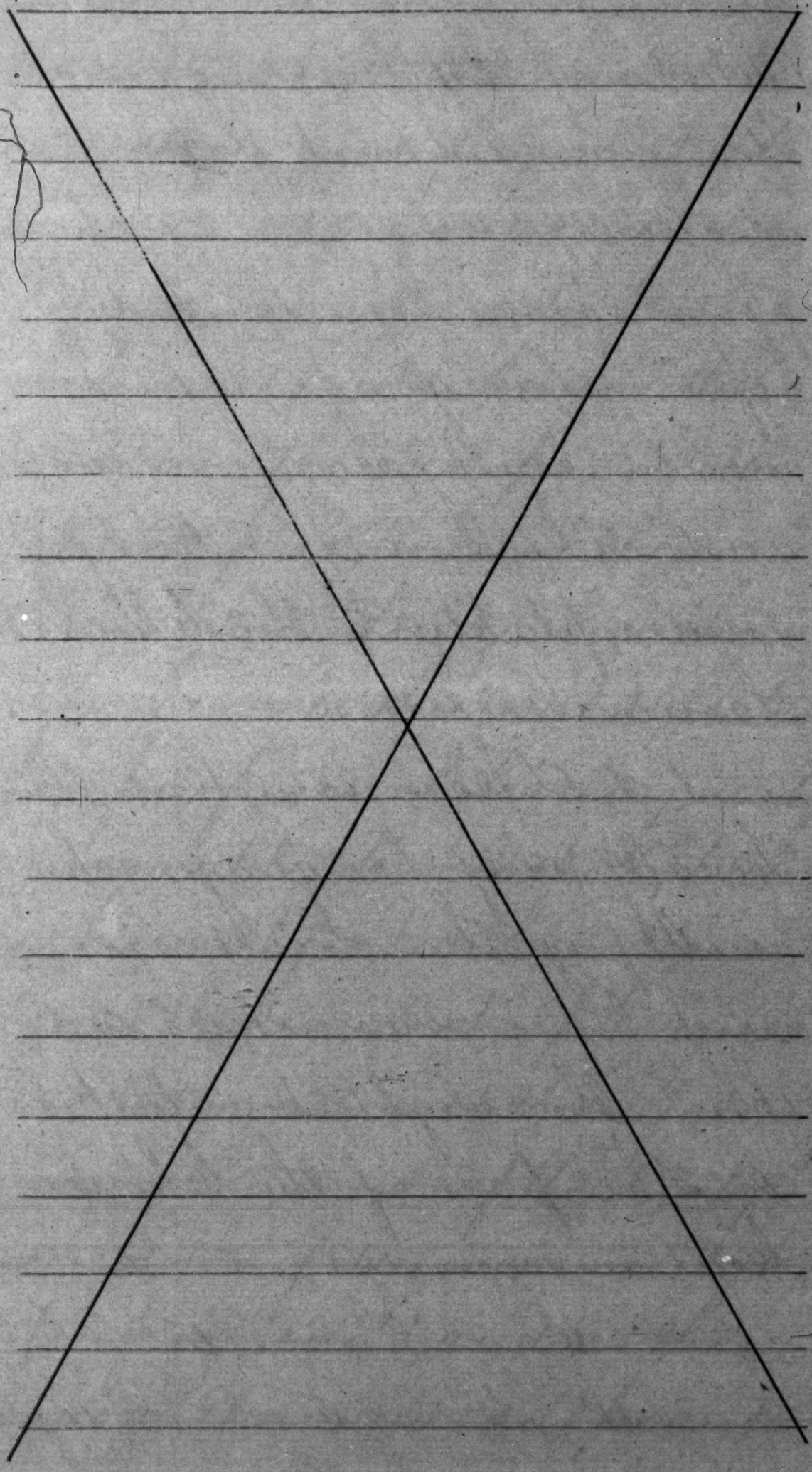
modification

modification of the sixth Article of the Burlingame Treaty, we did not feel " authorized to risk such a concession by insisting " upon language which would really mean no more, and which was entirely unacceptable to the Chinese Commissioners.

There is not in the Treaty any language which modifies this concession, and there was not, as we think the slightest intention on the part of the Chinese Commissioners "

" " " " "

to



to diminish the full force of the discretion given to the United States.

There were one or two minor points upon which we would have preferred our own language. For instance we wished in Article I. to say "Chinese laborers should be "protected against any abuse "or maltreatment" instead of "should not be subjected to any "abuse or maltreatment" but this latter phrase had been used in the Treaty with Great Britain and although we thought it weaker than the form we proposed, we did not think it

(worth

worth while to insist upon our preference in view of the concession of the principle which we think securely established that the Government of the United States had the power to regulate, limit, or suspend, without conditions, Chinese labor immigration when deemed injurious to the interests of its citizens.

We will by the next mail send you a full account of the negotiations from the period of our last despatch No. 11. of date of November 3rd.

We are in further negotiation as to a matter submitted by the Chinese

Government

Government in connection with the probable extension of their trade in native vessels with the United States. We will probably reach a conclusion this week when we will send you further information.

The questions of Lekin taxes, transit passes, and Judicial procedure are under consideration of the Diplomatic Corps here and as these questions affect all treaty powers alike the Chinese Government is unwilling to make them the subject of special negotiation with any one.

These topics will after full conference be made the

(subject

subject of a special despatch but there is no probability of their reaching a point of practical discussion for many months.

We can see at present no object to be served by the residence of the Commission in PeKing during the winter. Any discussions may be safely left in the hands of Mr. Angell and the Government will have ample time to determine what its policy on these matters will be.

We have therefore deemed it best that the two Commissioners should return at once with the Treaty negotiated and Mr. Swift

and

and Mr. Prescott will accordingly return to the United States upon the signature of the two Treaties referred to.

Although we purpose to write again by the earliest mail, we cannot close this despatch without acknowledging our obligation to Mr. Holcombe not only for the ordinary services of Secretary and Interpreter, but for the active and intelligent interest he has taken in the duties he has been called on to discharge in addition to those of Secretary of the Legation and for the great help he has been in putting our views before the Chinese

Government

Government and advising with us as to our method of negotiation, advice which his long experience and recognized ability made of the utmost value. We venture to hope that the Department will do that justice to his services which we have already recommended.

We have the honor to be,

Sir,

Your obedient servants.

James B. Angell,

John F. Swift

Wm Henry Trescot

Enclosure.

1. Treaty agreed upon between the

the Chinese and United States Commissioners, November 5th, 1880.

Despatch No. 12.

Enclosure

Treaty agreed upon between the Chinese and United States Commissioners, November 5th, 1880.

Whereas in the 8th year of Hsien Feng, Anno Domini 1858, a treaty of peace and friendship was concluded between China and the United States, and to which were added in the 7th year of Tung Chih, Anno Domini 1868, certain supplementary articles to the advantage of both parties, which supplementary articles were to be perpetually observed and obeyed: and

Whereas the

Government

Government of the United States because of the constantly increasing immigration of Chinese laborers to the territory of the United States, and the embarrassments consequent on such immigration, now desire to negotiate a modification of the existing treaties which shall not be in direct contravention of their spirit:

Now therefore His Imperial Majesty the Emperor of China has appointed

as His Commissioners Plenipotentiary, and the President of the United States has appointed

as His Commissioners Plenipotentiary, and the said Commissioners Plenipotentiary having conjointly examined their full powers, and having discussed the points of possible modification in existing treaties, have agreed upon the following articles in modification.

Article I. Whenever, in the opinion of the Government of the United States, the coming of Chinese laborers to the United States, or their residence therein, affects, or threatens to affect, the interests of that

that country, or to endanger the good order of the said country, or of any locality within the territory thereof, the Government of China agrees that the Government of the United States may regulate, limit, or suspend such coming or residence; but may not absolutely prohibit it.

The limitation or suspension shall be reasonable and shall apply only to Chinese who may go to the United States as laborers, other classes not being

being included in the limitations. Legislation taken in regard to Chinese laborers will be of such a character only as is necessary to enforce the regulation, limitation, or suspension of immigration, and immigrants shall not be subjected to personal maltreatment or abuse.

Article II. Chinese subjects whether proceeding to the United States as teachers, students, merchants, or from curiosity, together with their body and household servants, and Chinese laborers who are now in the United States shall

shall be allowed to go and come of their own free will and accord, and shall be accorded all the rights, privileges, immunities, and exemptions which are accorded to the citizens and subjects of the most favored nation.

Article III. If Chinese laborers or Chinese of any other class now either permanently or temporarily residing in the territory of the United States meet with ill treatment at the hands of any other persons, the Government of the United States will exert all its power

to

to devise measures for their protection, and to secure to them the same rights, privileges, immunities, and exemptions as may be enjoyed by the citizens or subjects of the most favored nation, and to which they are entitled by treaty.

Article IV. The high contracting Powers having agreed upon the foregoing articles, whenever the Government of the United States shall adopt legislative measures in accordance therewith such measures will be communicated to the Government of China. If the measures as enacted are found to work hardship upon

upon the subjects of China, the Chinese Minister at Washington may bring the matter to the notice of the Secretary of State of the United States, who will consider the subject with him, and the Chinese Foreign Office may also bring the matter to the notice of the United States Minister at Peking and consider the subject with him, to the end that mutual and ungalified benefit may result.

In faith whereof the respective Plenipotentiaries have signed and sealed the foregoing at Peking, in English and Chinese being

three

three originals of each text of even tenor and date, the ratifications of which shall be exchanged at Peking within one year from date of its execution.

Done at Peking this day of November, 1880, Kuang-Hsu year month day.

Rec'd by Telegram Nov. 10. 1880

Telegram - Cipher

Peking Nov. 9, 1880.

Evarts,
Secretary,
Washington.

Burlingame treaty modified. China consents United States at discretion regulate, limit, suspend immigration Chinese laborers. Sign this week.

Angell
Swift
Trescot

answer (cipher)

I congratulate you on rapidity and success of negotiations.

Evarts
Secretary

Angell
Swift
Trescot Commissioners

Peking

No. 45.

Legation of the United States.

Peking, November 13th, 1880.

James B. Angell to
the Secretary of State.

Subject.

Receipt of instructions

Synopsis.

Department instructions,
numbers 36. to 41. inclusive
have been received.

No. 45

Legation of the United States.

Peking, November 13th, 1880.

Honorable William M. Evarts,

Secretary of State.

Sir:—

I have had the honor to receive your instructions, numbered respectively 36. 37. 38. 39. 40. 41.

The despatch number 53. from Canton to Hon. Seward was not, as the Department supposed an original sent forward by mistake, and hence returned to this Legation with your instruction number 41, but

but was a duplicate despatch kindly furnished by Lieut. Cheshire.

I have the honor to be,
Sir.
Your obedient servant.
James B. Fry

File

1 One copy to Library
1 One copy to Mr. Seeley.
January 7. 1881.

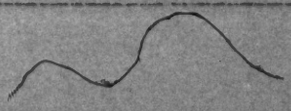
No. 46.

Legation of the United States.
Peking, November 15th, 1880.

James B. Angell to
the Secretary of State.

Subject
Customs Trade reports.

Synopsis.
Forward two copies of Trade
Report for 1879.



No. 46.

Legation of the United States.

Peking, November 15th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have the honor to forward herewith, under separate cover, two copies of "Reports on Trade at the Treaty "Ports for the year 1879."

I have the honor to be,

Sir,

Your obedient servant.

James B. Angell,

EN

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